The Library of Congress'

EARLY STATE RECORDS PROJECT

converted from the original microfilm held by the
Vincent C. Immel Law Library, Saint Louis University

through the generous support of a grant from the

Council on Library and Information Resources

2 Dup

JOURNAL

OF THE

SENATE;

SECOND ANNUAL SESSION

OF THE LEGISLATURE

OF THE

STATE OF WISCONSIN,

BEGUN AND HOLDEN AT MADISON, ON WEDNESDAY,
THE 10th DAY OF JANUARY, A. D. 1849.

PUBLISHED BY AUTHORITY.

MADISON, WISCONSIN:
DAVID T. DICKSON, STATE PRINTER.
1849.

5

153

JOURNAL

OF THE

SENATE,

SECOND ANNUAL SESSION

OF THE LEGISLATURE

OF THE

STATE OF WISCONSIN:

BEGUN AND HOLDEN AT MADISON, ON WEDNESDAY, THE
10th DAY OF JANUARY, A D 1849

PUBLISHED BY AUTHORITY.

DIVISION OF DOCUMENTS.

MADISON, WIS.
DAVID T. DICKSON, STATE PRINTER.
• • • • •
1849.

S

J87
.W6
1849b

MAR 22 1901
D. of D.

JOURNAL OF THE SENATE.

Second annual session of the Legislature of the State of Wisconsin, begun and holden at Madison, on the second Wednesday, being the tenth day of January, A. D. 1849, pursuant to Law, at twelve o'clock M.

The roll of the Senate was called by William R. Smith, under the direction of the Lieutenant Governor and President of the Senate, when the following members appeared, and those Senators elected in the first, third, seventh, ninth, eleventh, thirteenth, fifteenth, seventeenth and nineteenth districts, presented their credentials.

From the first	Senatorial	District,	Lemuel Goodell.
2nd	"	"	Henry Merrell.
3	"	"	James Fisher.
4	"	"	Warren Chase.
5	"	"	Montgomery M. Cothren.
6	"	"	George W. Lakin.
7	"	"	Dennis Murphy.
8	"	"	E. T. Gardner.
9	"	"	Alexander Botkin.
10	"	"	William M. Dennis.
11	"	"	Frederick W. Horn.
12	"	"	Myron B. Williams.
13	"	"	Frederick A. Sprague.
14	"	"	John W. Boyd.
15	"	"	Otis W. Norton.
16	"	"	C. L. Sholes.
17	"	"	Victor M. Willard.
18	"	"	Asa Kinney.
19	"	"	John B. Smith.

The President announced that all the members were in attendance.

The oath of office was then administered to Messrs. Goodell, Fisher, Botkin, Horn, Sprague, Norton, Willard, Murphy and Smith.

Mr. Dennis moved that Montgomery M. Cothren, Senator elected in the 5th district, who had not been furnished with credentials, be admitted to his seat;

Which was agreed to, whereupon,

Mr. Cothren took the oath of office.

Mr. Horn moved that the Senate do now go into the election of Chief Clerk;

Which was agreed to.

Mr. Horn nominated William R. Smith for that office;

And the roll being called, the whole number of votes, nineteen, of which William R. Smith received fourteen votes, G. H. Williston four votes, and John Smith one vote; whereupon William R. Smith was declared duly elected Chief Clerk.

Mr. Cothren moved that the Senate do now go into the election of Sergeant-at-Arms,

Which was agreed to.

Mr. Cothren nominated F. W. Shollner for that office;

And the roll being called, the whole number of votes was nineteen, of which F. W. Shollner received eleven votes, Lyman H. Seaver three votes, Benjamin Wilson four votes, and N. S. Emmons one vote; whereupon,

F. W. Shollner was declared duly elected Sergeant-at-Arms.

A message was received from the Assembly by the Chief Clerk.

Mr. President:—

I am directed to inform you that the Assembly have organized temporarily, and are now ready to proceed to business.

Messrs. Kelsey and Parkinson, have been appointed a committee on the part of the Assembly, to act in conjunction with a similar committee on the part of the Senate, to wait upon his Excellency the Governor, and inform him that the Senate and Assembly are now organized temporarily, and are ready to receive any communication which he may have to make to them.

The Assembly have adopted a resolution as follows:

Resolved, (the Senate concurring), That the joint standing rules of the last session of the Legislature be adopted for the government of the Senate and Assembly at the present session, until others are prepared and adopted;

In which the concurrence of the Senate is requested.

Mr. Gardner offered the following resolution:

Resolved, That the Sergeant-at-Arms of the Senate be authorized to employ some suitable person to act as Door-keeper, Messenger and Fireman of the Senate during the present session.

Mr. Chase moved that the resolution lie on the table,

Which was not agreed to.

And the resolution being under consideration,

Mr. Chase moved to amend the same by striking out the words "Door-keeper;"

Which was not agreed to.

And the ayes and noes having been called,

Those who voted in the affirmative were

Messrs. Botkin, Chase, Goodell, Lakin, Norton, Merrell, Sholes and Williams—8.

Those who voted in the negative were

Messrs. Boyd, Cothren, Dennis, Fisher, Gardner, Horn, Kinney, Murphy, Smith, Sprague, and Williams—11.

And the question being on the adoption of the resolution,

It was adopted.

Mr. Williams offered the following resolution:

Resolved, That the chief clerk of the Senate be authorized to employ some suitable person or persons to assist in doing the necessary writing for the Senate during the present session;

Which was considered and adopted.

Mr. Dennis offered the following resolution:

Resolved, That the Rules of the last session be adopted as the rules of this session, until otherwise ordered by the Senate;

Which was considered and adopted.

The message from the Assembly was then taken up, and the resolution being under consideration,

The same was concurred in.

Mr. Cothren moved that the Chief clerk inform the Assembly that the Senate is now organized and ready to proceed to business;

Which was agreed to.

Mr. Cothren moved that a committee be appointed on the part of the Senate to act in conjunction with a similar committee on the part of the Assembly, to wait upon his Excellency the Governor and inform him that the Senate and Assembly are now organized and are ready to receive any communication which he may have to make to them;

Which was agreed to; and Messrs. Cothren and Chase were appointed such committee.

Mr. Cothren from the committee on that subject made report,

That they had performed that duty, and that the Governor had informed them that he would communicate with both Houses of the Legislature on to-morrow at twelve o'clock.

On motion of Mr. Horn,

The Senate adjourned until eleven o'clock to-morrow morn-

Thursday, January 11th, 1849.

The Journal of yesterday was read and corrected.

Mr. Horn gave notice that he would on to-morrow or some future day ask leave to introduce a bill to amend an act entitled "an act to provide for holding general and special elections, the time when, the manner of holding the same, and the qualifications, disabilities and privileges of electors."

Mr. Chase gave notice that he would on to-morrow or some early day ask leave to introduce a bill relating to interest.

Mr. Dennis gave notice that he would on to-morrow or some future day ask leave to introduce a Bill to provide for auditing and paying the accounts of the Commissioners appointed to locate the State Lands.

A message from his Excellency the Governor:

EXECUTIVE DEPARTMENT,
January 11th, 1849.

To the Senate and Assembly:

Owing to indisposition, I shall be unable to deliver my annual message to the Legislature in person, as I informed your committee on yesterday; I shall therefore transmit it to each House in writing at twelve of the clock Meridian this day.

NELSON DEWEY.

The President laid before the Senate the following communication:

SECRETARY'S OFFICE,
Madison, January 11th, 1849.

Hon. JOHN E. HOLMES,
President of the Senate:

Sir—Herewith I have the honor to lay before the Legislature the vote cast in the county of Washington on the first instant relative to the location of the county seat of said county, as the same has been returned to this office.

With great respect,
Your ob't serv't,
THOS. McHUGH,
Sec'y of State.

Official canvass of Washington county for the third vote on County Seat of said county of an election held on the first day of January, A. D. 1849.

Name of Town.	Cedarburg.	West Bend.	Neither place.	Scattering.
Port Washington,		1	259	
Belgium,			504	1
Fredonia,	3	1	38	
Saukville,	25	51	10	
Farmington,	27	68	3	
Trenton,	1	85		
North Bend,		82		
Newark,	7	39	8	
West Bend,		246		
Wayne,		72		
Addison,		167		
Hartford,	102	9		1
Erin,	49	24		
Polk,	65	185		
Richfield,	146	33		
Jackson,	94	60		1
Germantown,	256	63		
Grafton,	388	2	159	
Mequan,	380	5	5	1
	1643	1193	986	4

We do hereby certify that the above is a correct canvass of the last county seat election held on the first day of January, A. D. 1849.

JAMES FAGAN,
W. P. BARRAS,
Justices of the Peace and board of Canvassers.
WM. VOGENITY,
Clerk of the board of county Supervisors.

Port Washington, Jan. 13, 1849.

Office of Clerk of Board of County Supervisors,
Washington County Wisconsin.

I, William Vogenity, Clerk of said board do hereby certify that the above is a correct copy of the original canvass of the third vote on county seat of said county, held January 1, A. D. 1849.

SEAL.

In witness whereof, I have hereunto set my hand and affixed the seal of said county this third day of January, A. D. 1849.

WM. VOGENITY,
Clerk of said Board.

Mr. Horn offered the following Resolution:

Resolved, by the Senate, (the Assembly concurring), That the communication from the Secretary of State and accompanying documents relating to the last vote on the county seat of Washington county be referred to a Joint select committee consisting of the members of both branches of the Legislature from said county;

Which was considered and adopted.

The following message was received from his Excellency the Governor, which was read.

EXECUTIVE DEPARTMENT,
Madison, January 11, 1847.

To the Senate and Assembly:—

Owing to indisposition I shall be unable to deliver my Annual Message to the Legislature in person, as I informed your committee on yesterday. I shall therefore transmit it to each House in writing, at twelve of the clock meridian this day.

NELSON DEWEY.

MESSAGE.

Fellow Citizens of the Senate
and Assembly:

The representatives of the people have again come together to legislate for the welfare of the State, and to pass such measures as will advance and preserve their rights and prosperity. The condition of our State, in all its diversified interests, presents a gratifying spectacle of successful enterprise, and the abundant products yielded to the hand of toil, in all the branches of labor, exhibits a capability of resources unsurpassed.—Our population is rapidly increasing, and their indomitable energy is fast developing the productive capacity of the State in every branch of industrial pursuit.

In viewing the prospects of our State it is a source of high gratification that we possess all the elements of State wealth, and of individual prosperity and happiness. All our great interests are advancing and being successfully extended. Recent discoveries have opened in various parts of the State, rich beds of iron ore which is said to be unsurpassed in quality and richness, and inexhaustible in quantity. The county of Dodge is the seat of one of the beds discovered, and is obtained with great facility. Furnaces are now in the process of erection at this mine, for smelting and manufacturing the ore. The country north of the Wisconsin river, is also said to abound in this mineral. Should the reasonable anticipations, as to the productiveness and value of these mines be realized, the advantage resulting to the State will be incalcluable, and another great interest will be added to its internal wealth.

The National Government has recently effected a treaty with the Menominee Indians, by which their title has been extinguished to the country north of the Fox river, embracing all their lands in the State. This is an important acquisition, as it opens a large tract of country to civilization and settlement, and has been for a long time greatly desired by that section of country. These lands are said to be well adapted to agricultural purposes, possessing a soil rich and productive. It has a salubrious climate ; is well watered, with sufficient hydraulic power for all necessary manufacturing purposes, and abounds in fine timber which will add greatly to our lumbering interest. Our increasing imigration, and the adventurous enterprise of the American character will soon make these wilds of the Indian the happy homes of an enlightened and industrious people ; and the trail of the savage will soon be turned into the pathway of civilized life.

The unprecedented rapidity with which our State has been settled, the rapid development of its physical resources, and the intelligence of its people are subjects of a rational pride. From these facts it is evident that Wisconsin possesses superior natural advantages, and these advantages and to her liberal institutions, is to be attributed the high comparative position which she occupies among the new States of the federal union.

The government of the Union and of the several States being based upon the principles of equality of rights, the great object of legislation is, to secure and preserve that equality, both to the States and to every member of the community. But while such is the basis of our national and State institutions, there is, incident to this, a principle of no less importance to individual happiness and the moral elevation of the people, that should not be lost sight of by statesmen and philanthropists, and that is the equality of the social relations. The equilibrium of the soaicl condition of the people is the greatest safeguard to the permanency of our institutions, and will produce the largest amount of individual happiness and prosperity.—The nearer the members of a community approximate to this equality in their relative condition, in wealth, in education, and in all the social duties of life, the greater will be the extent of their rational enjoyment. In enlightened Europe, where social inequality exists to an alarming extent, the amount of misery, want and depravity among the masses of the people is incredible; and the inquiry may well be made whether the present struggles in the European nations for the establishment of constitutional liberty is not more the result of this inequality than the unequal distribution of political rights. While our own country possesses an approximate equality as well in the social as the political condition of its citizens, it behoves those in whose hands its legislation is entrusted to take care that this equality is preserved as far as possible, and that the interests of the most humble are cared for. Whether positive and direct legislation can be justly applied to extend this equality, is problematical; but much may be accomplished by avoiding all class legislation, at the expense of the many for the benefit of the few.

In your hands is entrusted the high and responsible duty of legislating for the good of the State, and by giving a liberal direction to its policy much may be done to secure the permanency of our incomparable system of government, and to promote the progress of social equality and political freedom.

The term of service of one of the representatives of this State, in the Senate of the United States, will expire on the fourth of March next. The subject is brought to your notice that the vacancy may be supplied at your present session.

The constitution, in the 11th article, provides that "corporations, without banking powers or privileges, may be formed under general laws, but shall not be created by special act, except for municipal purposes, and in cases where, in the judgment of the legislature, the objects of the corporation cannot be attained under general laws. From this clause in that instrument it is apparent that the power of the legislature to pass special acts of incorporation is restricted to extraordinary cases, and that every person who may wish to exercise corporate privileges should have equal access to them. This is a correct and just principle, and if any advantages are to be derived from the use of these powers every citizen should have the opportunity of availing himself of their benefits without the expense of procuring special acts of legislation. I therefore recommend such legislative action as will carry out the intent of this constitutional provision. The common law liability of the individual members of corporate bodies for the debts of the corporation is unjust and anti-republican. No sound reason can be adduced based upon natural justice or public policy why the liability of the members of an incorporated company for its debts should not be the same as that of the individuals of an ordinary copartnership. Should individuals, because they happen to be associated together as a corporate body in any business, be exempt from liabilities and duties which the law would impose upon them if engaged in the same business as copartners? Certainly, no well founded argument can be brought to sustain such a position. The liability in the two cases should be the same. If individuals participate in the profits and dividends of an enterprise they should likewise sustain its losses. The liabilities and duties of individuals should be the same whether acting singly or collectively, or as corporators or copartners. Any other principle is repugnant to the *spirit* of our institutions and is contrary to the doctrine of equality of rights. I submit to the wisdom of the legislature the justice of providing by law, that the members of a corporation should be responsible for its debts to the same extent that copartners are for the debts of their partnership firm.

The people, by their constitution, having determined not to carry on or engage in any works of internal improvement, except in cases where donations have been made for particular works, it becomes a matter of vital importance to the prosperity of the State, that the most effective system of opening, and improving our common highways, should be established by law. It is over these pathways, which traverse every portion of the State, that our surplus products find their way to market, and our foreign supplies are received from the navigable waters which bound us on either side. The importance of these channels of inter-communication have become more apparent during the last season from their almost impassable condition in many parts of the State. The improvement of the present manner of maintaining our public roads addresses itself with strong force to your consideration. Under the present laws, the revenue for this object is derived from a *per capita* tax, and by a tax levied upon the taxable property in the several towns and counties.—These taxes may be discharged, by the persons taxed, in labor upon the roads in the proper districts, under the direction of a supervisor. The effect of this mode of discharging taxes is, that in some districts, they are when collected, paid into the county or town treasury, and are never expended upon the roads, and the resident tax payers too frequently perform their road labor superficially, which prevents the beneficial improvement of the highways to the extent reasonably to be anticipated from the system. Again, the ratio of taxation being equal in each town or county, the result is, that in some districts, where only a small amount of road labor is required, a surplus is raised which is unexpended, and in other districts, in which a large amount of labor is necessary to keep the roads passable, owing to the small amount of taxable property and the paucity of the inhabitants, a deficiency, of taxes for this purpose exists. It follows, therefore, that in some cases the roads are almost impassable. This system operates unequally and unjustly in many, if not all, of the counties of the State. The whole people being equally interested in the public highways, the burdens of maintaining them should be equally distributed. Small districts should not be taxed with oppressive and heavy duties when adjoining districts receive equal benefits from them without contributing to their performance, or performing similar ones to the same extent. Where equal benefits are received there should be equal contribution. I submit, therefore, the propriety of modifying the existing laws upon this subject, so that the taxes levied for road purposes shall be paid in money, and collected in the same manner as other taxes, and that when collected, they be expended in the opening and improving of the public highways, under the direction of a road superintendent, to be appointed in each county or town, who should be required to keep the roads in good repair. Some modification of our road system of this kind, in my opinion, would be more just and equal in its operation, and result beneficially to the public.

The judiciary of the State, under the elective provision in the consitution, has been organized since the last session of the legislature, and the expectations of the people appear to be realized in its operation. While our institutions recognize the principle, that every person is entitled to a certain remedy in the laws, for all injuries that he may receive, and that justice should be administered freely and without price or denial, promptly and without delay; it becomes the duty of the representatives of the people, in providing by law for the details of this principle, to inquire whether this remedy, in its largest measure, is placed within the reach of every citizen. In making this inquiry into the capacity of our judiciary to supply the wants of the community, and to administer justice without denial or delay, we must look into the business before our courts and see if justice is administered in accordance with the principle laid down. My own opinion is, that it is not. This opinion is drawn from personal observation, and from the every day complaint of litigants. In some of the counties it is not unfrequently the case that court adjourns without completing a moiety of the business before it, and suitors, after attending during its term with their witnesses, are compelled, at a great expense and loss of time, to leave the portals of justice without having their business disposed of. This amounts almost to a denial of justice, and it is certainly not administering it without delay.— The utility of laws for the collection debts may well be questioned by political economists, when judicial relief is obtained with so much delay, and attended with such heavy expenses, and loss of time. It is estimated that the loss to the community, growing out of litigation, exceeds the amount of debts collected. Upon the basis of this estimate the subject is receiving public examination, and discussion as a question of political economy; and from this discussion, it is hoped, at least, some good may follow, in this, that judicial investigation may be more easily reached, and its decisions obtained with more certainty and promptness, and with less burdens upon those who seek its assistance. If evil exist, the remedy should be applied. The remedies within the reach of the legislature are, either to increase the terms of court in those counties where required, and so to arrange them in the counties composing a circuit as to give sufficient time to dispatch the business, or by organizing the inferior courts, authorized by the constitution.

I would also call your attention to some remedial provisions that I deem necessary to place the court of Probate upon a proper basis. It is estimated that the whole property of the country passes through the judicial action of these courts, once in the period of thirty years. Their great importance, therefore, to the public is apparent; and every improper influence that may, in the least effect the exercise of their judicial functions should be removed. The present laws provide that the compensation of these officers for their services, shall be by fees taxed against those procuring the rendition of the services, who all act in a fiduciary capacity.

The objection to this mode of compensation is, that a direct and mutual inducement is held out both to the officers and the fiduciary to improper conduct, by paying, on the one part, to the officer exorbitant fees, and by allowing, on the other part, to the fiduciary unjust accounts against the true estate. This court should be placed on as high moral elevation as the higher courts of record, and its consequence to the interest of the county is no less important. The compensation of these officers should be by a fixed salary, to be regulated according to the amount of duties to be performed in each county. Also, existing laws leave it discretionary with these officers to regulate the times and places of holding their courts. This is objection-able, inasmuch as in the exercise of this discretion, without any fixed place of holding the court the officer may keep it at all times in session, constitute a traveling court, and may also enter decrees affecting the most important rights of persons, as well as minors, *feme coverts*, idiots, and absentees, without that publicity that should govern all judicial action. Regular terms of this court, and the places of holding the same, should be fixed by positive legal enactment, and no final decree or order should be made except in term time, and upon notice, to be published in some newspaper. Provisions of law, of the character referred to, would place these courts above suspicion, and more effectually protect the rights of those interested in their decisions. They are the guardians of those persons wanting the legal capacity to atend to their own affairs, and are regarded as the representatives of the dead, to protect and shield their estates for those entitled to them. To remedy the delays attending the administration of justice in the courts of common law, and the defects in the laws regulating the Probate courts in the particulars stated, I recommend that the terms of the circuit court be so arranged in each circuit as to allow sufficient time for the court in each county to dispatch the business before it; and, also, that an inferior court of record should be organized in each judicial conuty, with probate powers, and with limited civil and criminal jurisdiction, and that the court of Probate be abolished. The clerk of the circuit court should be ex-officio clerk of this inferior court. There should be one judge, with a salary to be fixed by law, and paid out of the proper county Treasury.

If, however, the legislature should be of the opinion that the public interests do not require the creation of this inferior court and the abolishment of the courts of probate, I then recommend that provision be made by law that the judge of probate should receive a fixed salary for all his services to be paid out of the county treasury, and that the amount be regulated by the boards of supervisors in each conuty; and further, that the times and places of holding this court be regulated by law to correspond with the views expressed.

Some legislation is required directing the docket fees charged upon each cause brought to the courts of record to be paid into the State Treasury that it may be made available for the objects contemplated by the constitution.

The patents for some of the "canal lands" sold under the territorial government have not been issued, and doubts are entertained whether the Governor of the State can legally issue them so as to vest the title of the lands in the purchasers. The subject is referred to, that legislative provisions may be made directing such patents to be issued. The accounts of the register and receiver of these lands remain unadjusted. It is due to these officers and the true interests of the State require that this matter should be brought to a close. Such steps are urged to be taken as will accomplish this object.

I respectfully direct your attention to the views expressed in my first message to the Legislature on the subject of the revision of the militia laws, and recommend its organization upon the basis in that message stated. A complete organization and enrollment of the militia for the purpose of ascertaining its numerical strength is necessary in order that the state may draw its just quota of arms from the general government.

The legislature at its last session, by resolution. directed the executive to open a correspondence with persons in different sections of the State, for the purpose of eliciting information as to the most eligible point at which to establish a Penitentiary.—I have to inform you that this duty has been performed by the executive, and the communications received on the subject are submitted for your information. Your particular attention is directed to the interesting communications of I. A. Lapham, Esq. and H. Barber, Esq. submitted in connection with this subject. Their views on the subjects discussed are entitled to careful investigation. I again urge upon the legislature the propriety of taking the initiatory steps for the erection of a state prison, and I refer you to the sentiments given in my former message on this subject. The manner in which the sentences of the criminal law are enforced at the present time is calculated to bring it into disrepute, is expensive to the State, and detrimental to the prisoner. In some cases state prisoners are permitted to go at large without restraint; and in other cases they are strictly confined in unwholesome prison rooms, which makes the enforcement of this law operate unequal on the same class of offenders, and the result from this state of things is the frequent application for the exercise of executive clemency. As the most suitable mode of commencing the establishment of such an institution, I suggest the appointment of commissioners, whose experience in the construction of prisons, and prison discipline can be relied upon, to examine the different localities of the State and select a suitable point for the object. In making the selection, that point should be designated where the labor of the convicts would come least in competition with the industry of the country. Power should be given them to procure a draft of a plan of the prison and its grounds, subject, however, to the approval of the legislature. For this object and for procuring the materials of the commencement of its erection, I recommend that the ways and means be provided at this session. The executive pardon has been extended unconditionally to three different convicts since the organization of the State, which will be made the subject of a future communication to the legislature.

I again invite your attention to the punishment of the crime of murder, and recommend that the views contained in my last message on this subject be carried out by legislative enactment. Sound reason and natural justice direct that a discrimination should be made in the punishment of this offence, according to the degree of moral guilt displayed in the commission of the crime. Such a modification of the law will subserve the best interests of society and humanity, and will secure a more certain enforcement of the criminal code.

The commissioners appointed to revise the statute laws of the State, I learn, have been actively engaged in the discharge of the duties imposed upon them, and will report to you such portion of their labors as they have perfected. From the limited time that has elapsed since their appointment, it is not expected that they will be able to complete their revision during this session. They will be prepared to submit, at an early period, bills revising the laws relating to town and county government, taxation and the financial system of the State. I recommend your early action upon these subjects, so that the laws relating to them may be uniform, as recognized by the constitution. Early action in this respect is rendered necessary—that the laws may be published and circulated among the people before they are called upon to carry them into execution, and this is the more necessary in many parts of the state, as the town and county government will be new, and only a short time elapses prior to the next town election. For further reasons in support of the imperious necessity and justice of establishing by law such uniformity, I would refer to my first message.

Attention is called to the manner of keeping the books in the auditor's and treasurer's office. A plan easy, simple and comprehensive, should be established by law, and on the principle of double entry. Reference is made to it to elicit investigation.

The Secretary of State not being required to report to the executive, I cannot officially inform you of the revenue and finances of the State. The report of this officer will place the subject fully before you. I respectfully recommend that ample provision be made by direct taxation to discharge all the liabilities against the State, and sufficient to anticipate the ordinary expenses of the government for this and the succeeding year, as they shall accrue, that the public faith may at all times be sustained. The treasury should always be supplied with funds to meet its wants as they occur, and the only way to do this is to provide the means in advance, and in the absence of other sources of revenue this must be met with direct taxation.

The power of the legislature to issue any evidence of State debt is restricted by the ninth section of article eight of the constitution, except for such debts as are authorized to be contracted in the sixth and seventh sections of that article. From this section it is clear that the issue, by the authority of law, of any scrip, auditor's or other warrants, is prohibited, and that the act of the legislature itself should be the only warrant and authority upon which money should be drawn from the State Treasury. In fact the law appropriating the money is the highest warrant that can be drawn, and the receipt of the person to whom the appropriation is made is the best evidence of its yayment. With this method of drawing money from the Treasury, the objection of double issues or of forged warrants is removed, and the law itself becomes an unfailing check upon the paying officer.

Doubts being entertained by the legislature at its last session, whether auditor's warrants came within the restrictive clause of the constitution referred to, provision was made by law that no money should be drawn from the State Treasury except on the warrant of the Secretary of State. Participating in these doubts, the executive sanction was yielded to those laws directing the issue of such warrants. Subsequent reflection, however, has convinced me that these laws are in contravention of the constitution, and that every warrant or other paper issued by one officer of the State on another, for the payment of money, is and thereby becomes an evidence of State debt, and is the voucher of payment. The appropriation directing the payment of the money is merged in the warrant or other instrument issued.—The warrant is the authority upon which the money is paid, and is the voucher for so doing; it follows therefore that it is an evidence of State debt not recognized by the constitution. I would therefore respectfully recommend a repeal of all laws authorizing the issuing of warrants or other orders on the State Treasury, and that provision be made by law requiring the Treasurer to pay on appropriations only, which, with proper vouchers, is the most effective check upon his disbursements.

A bill was passed at the last session of the legislature, allowing interest on the auditor's warrants issued by the authority of law, which did not receive the approval of the executive, and was not returned with objections. This bill was presented for the action of the executive on the last day of the session, and immediately after its presentation I was informed by a joint committee of the two houses that the legislature had completed the business before it and was ready to adjourn, which prevented me from returning it with my objections to its approval, at that session. I objected to the passage of the bill, because—First, the bill provided that certain auditor's warrants after presentation to the Treasurer and non-payment, should bear interest at twelve per cent., which would clearly render them evidences of state debt, if they were not such without the interest feature. The moment interest should begin to run on them, that moment they would become such evidences, and would therefore be unconstitutional. Secondly, the provisions of that bill extended only to a certain class of the public creditors, and not to all alike, it was therefore unequal and unjust in its operation.

And, thirdly, the principle of allowing interest on appropriations and warrants is not contemplated by the constitution, and a precedent would be established injurious and impolitic.

The constitution requires that the legislature shall provide by direct taxation, if there are no other sources of revenue, for the payment of the expenses of each year and all deficiencies for preceding years. If the legislature carries out this provision, there will at all times be funds on hand to meet the current expenses of the State. Good policy and sound economy dictate this course, and I trust that the representatives of the people will adopt it.

I respectfully call the attention of the legislature to the fact that ten bonds, of one thousand dollars each, are outstanding against the State, unsatisfied, which were issued and negotiated under the late territorial government of Wisconsin, to aid in the construction of the Milwaukee and Rock River Canal. I recommend that the subject of these bonds be investigated; and that such provision be made for their payment, and discharge, as justice and good faith would dictate, and the true honor of the State and people demand. I also urge that the outstanding liabilities of the State be ascertained as far as possible, and means be provided for their payment.

The act of the last session, entitled "An act to exempt from forced sale on final process the property therein named" requires some modifications to make its provisions harmonize with the pre-existing contracts, and the former laws on this subject. This act repeals all previous laws exempting any personal property from forced sale on final process, and enacts a new one. As some doubts exist as to the proper construction to be placed upon this act, I recommend that such modification of it be made that the provisions of the prior act may apply to contracts then existing, and that the present act be confined in its operation to contracts entered into since its passage. Much unnecessary litigation might be avoided by such an alteration, and it will be within strict constitutional limits.

The act of the Legislature to exempt a homested from forced sale, took effect on the first day of this month. Whether the beneficial results that have been anticipated will follow from the practical operation of this measure, remains yet to be proved.

This subject is brought to the attention of the Legislature at this time with the view of urging such a change of its provisions as will correspond with the sentiments presented in my message of the 8th of June last. In reiterating the opinions in that message presented, I would add, that in my opinion, some limit in value should be given to the homestead exemption, and should be confined to persons with families depending upon them for support. Such a change of this law will have a tendency to make it a permanent provision, and will be sustained by public sentiment; but without it, it is feared the whole law will be repealed. Its provisions can be extended, if experience shows that it promotes the public welfare. I trust that this humane provision will forever remain on our statute book. It throws the mantle of protection around the unfortunate and shields them from unjust oppression. Its tendency is to elevate the moral and social condition of the people. I would suggest, as matters of detail in carrying out this measure, that the person wishing to avail himself of it should make a selection of his homestead, and have the same described and appraised in a manner to be defined by law; which selection, description, and appraisal, he should cause to be recorded in the office of the register of deeds of the proper county. These details would prevent fraud, and make definite what is now uncertain.

Immediately upon the passage of the act giving the assent of the state to the grant of land made by Congress to aid in the improvement of the Fox and Wisconsin Rivers, steps were taken by me, as required by law, to locate the lands thus granted.—On the 29th day of June last, being the day on which the act of the legislature referred to was approved, I addressed the general government, notifying it of the assent of the State to the act of Congress, at the same time informing it that I selected the alternate sections unsold in the limits of the grant numbered with odd unmbers, and also requesting to be furnished with a diagram of the grant, with other information necessary to complete the locations; to which I received no reply until the 27th of November last. In consequence of this delay no locations have been completed. The odd numbered sections within the limits of the grant, and unsold, comprise about 125,000 acres. These lands have been selected, and the approval of the President of the United States is only wanting to bring them into market.—The residue of the lands granted, cannot be finally located without further action of Congress. No efforts on the part of the executive will be spared to secure a speedy and judicious location of all the lands, so that they may be made available for the furtherance of the object of the grant. The act providing for the improvement of these rivers makes it the duty of the Governor to appoint a Register and Treasurer whenever the selection of the lands granted shall be completed, and a sale of any portion of them required. The contingency referred to not occurring, no officers have been appointed. As soon as the President approves of the locations already made, the appointment of these officers will be necessary; and should this information be received during your present session, you will be advised.—that these officers may be elected by joint vote of the Senate and Assembly, as required by law. Some legislation will be necessary, in order to secure to the settlers on these lands the right of pre-emption granted to them by the act of the 8th of August last. The 41st section of this act will require some modification to accomplish this object. Your attention is therefore directed to this subject.

The board of public works appointed under this law, were convened at the capitol early in September last, when an organization took place. An engineer was appointed and other measures taken to ensure, at an early day, a preliminary survey of the proposed canal and of the Fox River, upon which estimates could be based. This survey, I have been informed, has been completed; and is highly satisfactory, and exhibits a capacity and facility for the improvement of these streams not before anticipated by the most ardent friends of this great internal channel of communication. The importance of this improvement to a very large portion of the State, traversing its whole extent from the North-East to the South-West, is too apparent and well known to require comment. The valley of the Fox and Wisconsin rivers comprises some of the best portions of the State and it may be safely estimated that one half of its geographical area is interested in this improvement; it therefore forcibly commends itself to the favorable consideration of the Legislature, and should receive from it an energetic impulse.

The Board of Public Works will meet at the Capitol on the 15th inst. when a report of their doings and the result of this survey will be submitted in detail. Some legislation will be necessary, I am informed, to prosecute the work energetically and economically which will be suggested in the report of the board and engineer. When these reports are received, such additional suggestion will be made as a vigorous prosecution of the work may seem to demand.

Under the act directing the 500,000 acres of land granted to the State by Congress to be located, about 200,000 acres have been selected, but the approval of the locations has not yet been made by the general government. The farther locations of these lands has been suspended until they can be made of a better quality and at a less expense than at the present time.—As the title to none of these lands has yet been perfected in this State, no recommendations on the subject of their sale is made.

The condition of the capitol and the property connected with it is brought to your notice. Some provison should be made for repairs and for finishing and furnishing the Supreme Court room and the State offices in a manner becoming the character of the State. The capitol and its grounds, with the other public property, should be under the control and supervision of one of the State officers, and its use should be confined to such purposes only, as were intended by its construction. A contingent fund should be placed at the disposal of the officer having such supervision, for the purpose of discharging, as they are incurred, such incidental expenses as are necessary to keep the capitol and its grounds in proper order. Economy would dictate this course, as the time consumed by the legislature in making separate appropriations for these expenses, to different persons, costs the State more than the aggregate amount of the claims allowed. Such legislation as will carry out these views is urged.

The constitution has appropriated to the school fund all moneys and the clear proceeds of all property that may accrue to the State by forfeiture or escheat, and all moneys that may be paid for exemption from military duty, and the clear proceeds of all fines, collected in the several counties for any breach of the penal laws, and also the five per centum of the nett proceeds of the public lands. Some legislation is required directing the revenue received from these sources to be paid into the proper fund for investment, and authorizing some person to draw the five per centum referred to from the United States Treasury.

Provision has been made to carry out that clause in the constitution which requires the school and university lands to be appraised before a sale could be effected. The only lands that can now be appraised under this law are the University Lands of seventy-two sections and the sixteenth section in each township. The commissioners appointed to discharge this duty were required to make their reports to the Secretary of State, who will communicate the progress made to the legislature. That portion of the State lying north of the Fox and Wisconsin rivers is but sparsely settled and many portions of it are yet unsurveyed. It therefore becomes a question of doubt whether the public interest and that of the school fund will be promoted by an appraisal of the school lands lying north of those rivers at this time. I respectfully recommend that the further appraisal of the lands referred to be suspended until the appraisal can be more economically accomplished, and a result obtained more beneficial to the school funds.

The propriety of a sale of the University and School lands, after their appraisal, will address itself with much force to your consideration at this session. The interest of these funds, it is believed, will be advanced by a sale of them. It is estimated that the interest of the money that might be received from such sale at this time, would exceed their rise in value in case their sale should be postponed. Other advantages of an important character would result to the State by their sale. A large quantity of valuable wild land would pass into the hands of industrious settlers, thereby materially increasing the productive resources of the State. This would add to the amount of taxable property, and consequently swell the State revenue.

In preparing the details of a system for the sale of these lands, I suggest that, in all sales upon a credit, the title of the land shall remain absolutely in the State, until the purchase money and all interest is fully paid, and that the purchaser shall have only a right of possession, until the terms of sale are complied with; and further that in all cases of failure to pay any part of the purchase money or the interest, when the same becomes due, the State should have the right to resell or take possession of the land, the same as in case no sale had been made. Much trouble and expense in making collections and in ejecting delinquent purchasers, will, by adopting this course be avoided. In all cases of sales upon a credit, a cash payment should be exacted, of from twenty-five to fifty per cent., depending upon the situation of the land as to timber and its liability to waste; the residue should draw interest, payable annually in advance, and the principal and interest made payable to the State Treasurer at the capitol. This course would be prudent, and in fact it is the only safe mode to protect these funds.

The investment of the funds arising from the different sources of revenue for educational purposes, is among the measures of the highest importance you will be called to act upon at this session. Unless these funds are judiciously invested, so that the interest and principal when due shall be paid promptly without expense to the State, and at the place stipulated, but little benefit will result to the people from the liberal provisions they have made for these objects. Some system of investment must be devised that will not consume all of the income from the funds, in investing them and collecting the principal and interest when due.

Only two methods of investment can be adopted at the present time. One is by establishing a loan office or offices, under the direction of the board of commissioners, to loan these funds to our own citizens, on bond and with real estate as collateral security. To this mode objections exist, among the most prominent of which, the following present themselves: The title of each tract of land offered as security, must be examined by some agent of the State, to ascertain if it is perfect in the person offering it, which will be attended with much expense and some risk as to the correctness of the examination, and an additional charge for the record of the mortgage deed. Again in the event that the principal and interest are not paid when stipulated, an expensive proceeding must be pursued to enforce the collection of the money, and these expenses may be incurred, where only a small sum is loaned. In case this system of investment is adopted, all expenses of loaning and collecting the money should be paid by the person taking the loan. The cash value of the collateral security should be at least double the amount loaned, and such value ascertained by disinterested freeholders acting under oath as appraisers. The other mode of investment is by purchasing United States stocks or the stocks of those States that promptly pay their interest when due.—This last mode is certainly attended with the least expense and trouble, and there will be a greater degree of certainty in the income. The objection to this mode is that the funds would not be invested among our own citizens. My conclusions are in favor of the latter system of investment as the most economical and certain. The whole subject, however, is left to the wisdom of the legislature.

I learn that the revisers will present in detail, a bill for a sale of the School and University lands, and the investment of the funds which I commit for your consideration.

The board of agents of the university being vacant, these officers were appointed under the provisions of law, who will hold until the close of your present session, and until their successors are elected. The present law provides that they shall be elected by the joint vote of the two houses of the Legislature. It is only necessary for me to call your attention to the fact, to ensure the performance of this duty. The board of agents is now full, and I learn that they have organized the university under the law. The importance of this institution to the cause of education in our young and growing State, will not fail to command at your hands a wise and liberal policy. The board of regents are required to report their doings to the legislature, and not to the Executive. I connot advise you, therefore, of the steps taken by them to further the objects of the institution. I doubt not but that they will submit to you as directed by law a detailed account of their acts and such other information as will promote the welfare of the university.

Your attention is earnestly directed to the School systems of this State, and the great importance of establishing one that will be uniform, and upon a basis firm and liberal. No question of State policy, in the present age, is eliciting more attention at the hands of political economists than the educational interests of the country. It is not only the system of schools and the manner of imparting instruction that demands the notice of statesmen, but the extent and character of the education dissemminated among our youth should also receive investigation. While we congratulate ourselves upon the progress we have made in the advancement of education, may not the inquiry well be made, whether our system of instruction is adequate, and of that practical character to fit and prepare the youth of the state to discharge all the duties required at their hands as members of the social compact and body politic. Are they taught any of the practical duties of life? Does the science of government or of political economy enter into the system of their education?—Are their political and natural rights explained and discussed before them? Are they taught in our schools the relative social duties due to and from society? In fact do they learn any thing of the economy of life, or of procuring the means to sustain it? Are not Collegiate graduates as destitute of all practical knowledge necessary to place them in a useful attitude as citizens as when they first entered the college portals? Is this placing upon a correct and proper basis the education of those into whose hands will soon pass the political and social affairs of the State?

The system of public instruction, physical, moral and intellectual, should be more of a practical nature and less theoretical or rather, the practical, theoretical and elementry, should be more blended together and carried forward in harmony without giving preference to either, to the neglect of the other. Our youth should be educated for the realities of life; they should be educated to be men, and to know the rights of man, and when thus educated they will at all times protect those rights, and be prepared to meet with firmness all the responsibilities incident to their position. The most perfect system of imparting this instruction yet devised is, that of Common Schools; and the first great object of our State, should be to make the one now in form more perfect. Uniformity in schools of the same grade as well in text books as in the manner of instruction is absolutely necessary to the harmony and success of the system. This uniformity does not exist in our schools, and it is regarded as a great evil. As a means of creating this uniformity it has been suggested, and I recommend that the regents of the University and State Superintendant constitute a board to prescribe the course of study and the books to be used in all the schools of the State. This board should have the selection of the libraries and apparatus of such schools, and the fixing a standard of qualification for teachers, and a plan for school houses. I learn that the revisers will submit for your action, at this session, an efficient, uniform system of common schools adapted to the wants of the people. Your early action on this subject, and a repeal of existing laws relating to it, is advised. Another important requisite for a good school is competent instructors. It is, therefore, the duty of legislature, in perfecting a system of public instruction, to secure suitable teachers. The close connection that exists between the pupil and tutor has not been sufficiently regarded. The establishment of Normal schools, at which teachers can be properly educated, and prepared to perform their duties, will be the most effectual method of accomplishing this object. I recommend the adoption of this course so soon as the finances of the state will permit.

I respectfully call your attention to the act providing for the election of a State Superintendent, and prescribing his duties. This act requires revision. The term of service of this officer should be increased to two years. Without this increase no one can do justice to the station. This officer having been elected under the constitution and laws, it will become his peculiar duty to have a general supervision over the subject of schools, and to collect such facts and make such recommendations as the interest of the school system may seem to require; which I have every confidence to believe will be faithfully performed.

The benefits resulting from a geological survey and examination of the State, in promoting and developing its agricultural and mineral resources, will be of immense value to our people. Very little is known of our State in a Geological point of view, and reference is made at this time to the subject more for the purpose of directing public attention to its importance than to recommend any legislative action on the subject at this session.—The state of the finances will not at present admit of it.

The building of good harbors on our Lake borders and the improvement of the rapids of the great father of waters are of such acknowledged commercial importance to the State and the whole Union, that it will only be necessary to refer you to them to ensure such legislative action on your part as will tend to their accomplishment.

I submit for the information of the Legislature, a communication form Mr. Alexander Vattemare on the subject of International Exchanges, accompanied by his report to the Governor of Virginia as the agent of that State. I respectfully invite your attention to the consideration of this subject.

The improvement of the internal communication of the State is worthy of your attention. While our Constitution has denied to the Legislature the power to engage in such improvement, except in particular cases, the main object of investigation in connection with the subject is the manner and means of accomplishing it. The right of the general government to establish a system of this kind, or to collect money and distribute it among the States for such an object being denied, its power to donate lands for any useful purpose to the States within it lies, has never been seriously questioned, and can be maintained upon rational principles. New States are admitted into the Union upon an equal footing with the original States, but no such equality can exist until the new States possess as well the ultimate right of soil as of jurisdiction, and the right also to tax the whole domain wherein her limits. As some equivalent for this inequality, it is but right that the general government should surrender, at least, a portion of her domain to the States in which it may lie, to be appropriated to benificent purposes.

I therefore suggest that this subject be presented to Congress by the legislature, and that it be asked to grant to the State such quantity of land within its limits, either alternate sections or otherwise as will be sufficient to construct our most important works of internal communication. Such grants can be made with much propriety in the unsettled parts of the State in the north where settlements will not be interfered with. The construction of Railroads, connecting the waters of the St. Croix River with those of Lake Superior, and one extending from some point on the Mississippi near the mouth of Black River, through the Wisconsin pinery, to Green Bay, has been suggested as feasible and well worthy of the liberality of Congress.—Among the most important works of the kind, requiring attention, is the construction of such a road south of the Wisconsin and Fox Rivers, connecting Lake Michigan with the Mississippi. These and the subject in general is commended to your notice. If we do not ask we shall not receive.

The present manner of disposing of the national domain in unlimited quantities has become a striking evil. In many parts of our State, individuals, and some are not even citizens or residents of the United States, have purchased large quantities of the best lands, and the settlement of the country has been thereby greatly retarded. Settlers have been compelled to pay an advanced price for their homes, and to increase by their labor the value of the wild lands of non-residents, without any corresponding benefit to the holders, and the investment in many cases is unprofitable. To show the extent to which this monopoly of the public domain reaches, I would state that in one county a single individual, who is not even a resident of the Union, holds upwards of 20,000 acres entered in the early settlement of the State. Such monopolies are truly great evils, and inducements should not be held out by enlightened and free governments to create them. The propriety of representing this subject to Congress, and of urging it to restrict the disposition of the public lands to actual settlers and in limited quantities, is respectfully recommended for your action.

The amicable relations which were interrupted between our government and an adjacent republic, has been restored, and we may now congratulate our common country that we are at peace with all the world. While we rejoice over the happy condition of our foreign intercourse, the exciting domestic question that has grown out of the acquisition of territory in the treaty with Mexico should not be overlooked, and should be approached in a spirit of harmony and compromise. The sentiments of the legislature of this State were expressed on the question of the extension of the institution of slavery over the recently acquired territory, at its last session, in resolutions instructing our representatives in both houses of Congress to act against such extension. It is believed that these sentiments correspond with the views of the great body of the people, and all constitutional means should be used to restrict the further progress of this great social and political evil. Exciting and threatening as this question is in many portions of the Union, I confidently believe that that patriotic spirit of the people, which has at all times proved itself equal to any emergency, whether of a foreign or domestic character, will dispel the darkness thrown over our political horizon, and show the Union still united and indivisible.

The growing greatness of our whole country is becoming more apparent, and its energy and enterprise more manifest, and the fact is being rapidly illustrated that it is in truth the model republic. The facilities with which information can be transmitted have increased almost incredibly. Already the electric wires of intelligence have, by the enterprise and energy of our people, reached the capitol of Wisconsin. To those whose energy has accomplished this result the liberal patronage of a generous public should be extended.

Our State government has gone into successful operation, and its organization has added another link to the great chain of experimental proof demonstrating the truth that the people are capable of self-government.

Twenty millions of people quietly assembling in their respective precincts, on the same day, and there determining who shall administer their national, and in many cases their local, government for a period of years to come, presents the most sublime spectacle of national greatness and virtue ever exhibited to the world. Such is the happy result of a government based upon the equality of rights and the intelligence of its people.

I have thus, as briefly as a due regard to the interests of the State would permit, presented to you its condition, and recommended for your action such measures as in my opinion will promote its welfare. My duty under the constitution is performed, and I leave the great interests of the people in the hands of its representatives, trusting that harmony may characterize all your official intercourse, and that your legislative action may be guided by wise counsels and productive of beneficial results.

NELSON DEWEY.

Madison, January 11th, 1849.

Mr. Cothren offered the following resolution:

Resolved, That 1000 copies of the Governor's message be printed for the use of the Senate in the English language; 500 in the German and 500 in the Norwegian language—and that 200 copies of the accompanying documents be printed in each of the above mentioned languages.

And the question being on the adoption of the resolution,

Mr. Sholes moved to amend the same by striking out all after the word "Resolved" and inserting as follows:

"That 50 copies of the Governor's message be printed for the use of this body.

Mr. Horn moved to amend the amendment by striking out all after the word "copies" and inserting as follows:

"Of the Southport Telegraph be furnished for the use of the Senate;"

Which was not agreed to.

And the yeas and nays having been called,

Those who voted in the affirmative were

Messrs. Cothren and Murphy—2.

Those who voted in the negative were,

Messrs. Botkin, Boyd, Chase, Dennis, Fisher, Gardner, Horn, Lakin, Merrell, Norton, Sholes, Smith, Sprague, Willard and Williams—15.

And the question recurring on the amendment,

It was not agreed to;

And the yeas and nays being called,

Those who voted in the affirmative, were

Messrs. Botkin, Chase, Fisher, Merrell and Sholes—5.

Those who voted in the negative, were

Messrs. Boyd, Cothren, Dennis, Gardner, Horn, Lakin, Murphy, Norton, Smith, Sprague, Willard and Williams—12.

And the question recurring on the Resolution,

It was adopted;

And the yeas and nays having been called,

Those who voted in the affirmative, were

Messrs. Boyd, Cothren, Dennis, Gardner, Goodell, Horn, Murphy, Smith, Sprague and Williams—10.

Those who voted in the negative, were

Messrs. Botkin, Chase, Fisher, Lakin, Merrell, Norton, Sholes and Willard,—8.

Mr. Cothren, by leave, introduced the following bill:

No. 1. (S.) Bill for an act to repeal part of an act entitled "An act relating to stationary," approved August 21, 1848;

Which was read first and second times.

On motion of Mr. Cothren,

The Senate adjourned until 10 o'clock to-morrow morning.

FRIDAY, January 12th, 1849.

The Journal of yesterday was read and corrected.

Mr. Smith gave notice that he would on to-morrow or some future day ask leave to introduce a bill to amend an act entitled "an act to incorporate the city of Milwaukee, approved January 31st, 1846.

Mr. Chase introduced the following

No. 2. (S.) Joint resolution relating to slavery,—

Which was read a first and second time.

Mr. Fisher gave notice that he would on to-morrow or some future day ask leave to introduce a bill to amend an act entitled "an act to provide for the appraisal and subdivision of the school and university lands, approved August 12th, 1848."

Mr. Botkin offered the following resolution:

Resolved by the Senate, Assembly concurring, That the President of the Senate and the Speaker of the Assembly invite the resident Clergymen, the Rev. Mr. Lord, Rev. Mr. Penman and Rev. Mr. Read to officiate alternately as chaplains to both Houses of this Legislature during the present session.

Mr. Horn moved to lay the resolution on the table,

Which was not agreed to.

And the ayes and noes having been called,

Those who voted in the affirmative were

Messrs. Chase, Cothren, Dennis, Fisher, Gardner, Horn, Murphy, Sholes and Willard—9.

Those who voted in the negative were

Messrs. Botkin, Boyd, Goodell, Kinney, Lakin, Merrell, Norton, Smith, Sprague and Williams—10.

Mr. Botkin, moved to lay the resolution on the table until to-morrow;

Which was agreed to.

Mr. Botkin gave notice that he would on to-morrow or on some future day ask leave to introduce a bill to secure pre-emptions to settlers on lands belonging to this State.

Mr. Chase introduced the following

No. 2, (S.) Bill relating to interest;

Which was read a first and second time.

Mr. Botkin offered the following resolution:

Resolved, That the Chief Clerk be and he is hereby authorized to employ a suitable person as Reporter to this House during the present session.

Mr. Cothren moved to lay the resolution on the table;

Which was agreed to.

Mr. Williams offered the following Resolution:

Resolved, That so much of the Resolution authorizing the printing of the Governor's Message and accompanying documents, adopted by the Senate yesterday, as authorized the printing of the accompanying Documents in the German and Norwegian Languages, is hereby rescinded;

Which was considered and adopted.

Mr. Botkin gave notice that he would on to-morrow or some future day, ask leave to introduce a bill to amend an act in relation to Justices of the Peace.

The President laid before the Senate the Annual Report of the State Treasurer.

The reading of which Report was dispensed with, and it was ordered to be printed. (See Report.)

Mr. Sholes moved to suspend the rule requiring bills to remain one day on file before being considered, so far as regards bill No. 1 (S.,)

Which was agreed to;

And on motion of Mr. Cothren,

The Senate resolved itself into a committee of the whole on

No. 1 (S.) A bill for an act to repeal part of an act entitled "An act relating to stationary, approved August 21, 1848;"

Mr. Williams in the chair;

And after some time spent therein, the committee rose, and by their chairman reported the bill back to the Senate without amendment;

And the question being on ordering the bill to be engrossed and read a thrid time,

It was not agreed to,

And the ayes and noes having been called,

Those who voted in the affimative, were

Messrs. Cothren, Horn and Murphy,—3.

Those who voted in the negative, were

Messrs. Botkin, Boyd, Chase, Dennis, Fisher, Gardner, Goodell, Kinney, Lakin, Merrell, Norton, Sholes, Smith, Sprague, Willard and Williams,—16.

On motion of Mr. Gardner,

The Senate adjourned until to-morrow morning at 10 o'clock.

SATURDAY, January 13, 1849.

The Journal of yesterday was read and corrected.

Mr. Lakin presented the Memorial and Petition of H. Eugene Eastman, an elector in the first Senatorial district of the State of Wisconsin, contesting the seat of Lemuel Goodell, returned as a member of this Senate to represent the said first Senatorial district, on the ground of the incompatibility of the said Lemuel Goodell to hold the said office;

Which memorial and petition was received and read.

Mr. Lakin offered the following resolutions:

Resolved, That the Hon. Lemuel Goodell, Senator from the first Senatorial district, be requested to respond in writing to the petition of H. Eugene Eastman, Esq. as soon as may be, and that he either admit or deny the material allegations in said petition according to the facts in the case.

Resolved, That after the response to the said petition shall be filed, the same together with the petition be referred to the committee on the Judiciary.

Mr. Horn moved to lay the petition and resolutions on the table, and that the same be printed,

And called for a division of the question.

And the question being on laying the petition and resolutions on the table,

It was agreed to.

And the ayes and noes having been called,

Those who voted in the affirmative were

Messrs. Chase, Dennis, Goodell, Horn, Kinney, Murphy Sholes, Smith, Sprague, Willard and Williams—11.

Those who voted in the negative were

Messrs. Botkin, Fisher, Lakin, Merrell and Norton—5.

And the question being on printing,

It was agreed to.

Mr. Kinney offered the following resolution:

Resolved, That the Chief Clerk of the Senate be directed to furnish the Post Master at Madison with a list of the names of the members of the Senate, and that their postage during the present session be paid out of the State Treasury.

And the question being under consideration,

Mr. Sholes moved a call of the House;

Which was ordered.

Whereupon all the members answered to their names except Messrs. Cothren and Gardner.

Mr. Horn moved to suspend further proceedings [illegible] the call of the House,

Which was not agreed to.

Mr. Cothren appeared in his seat.

Mr. Horn moved to suspend further proceedings on the call of the House,

Which was agreed to.

And the question being on the adoption of the resolution,

It was adopted.

And the ayes and noes being called for,

Those who voted in the affirmative were

Messrs. Botkin, Boyd, Chase, Cothren, Fisher, Horn, Kinney, Lakin, Murphy, Norton, Smith, Sprague and Williams—13.

Those who voted in the negative were

Messrs. Dennis, Goodell, Merrell, Sholes and Willard—5.

Mr. Horn offered the following resolution:

Resolved, That each member of the Senate be authorized to order for his own use during the present session any number of newspapers, not exceeding one hundred per week, and that the same be audited and settled as other incidental expenses.

And the same being under consideration,

Mr. Cothren moved to amend by striking out "one hundred" and inserting "thirty,"

Which was agreed to.

And the question recurring on the resolution as amended,

It was decided in the negative.

And the ayes and noes being called for,

Those who voted in the affirmative were

Messrs. Botkin, Cothren, Fisher, Lakin, Murphy, Norton, Smith, Sprague and Williams—9.

Those who voted in the negative were

Messrs. Boyd, Chase, Dennis, Goodell, Horn, Kinney, Merrell, Sholes and Willard—9.

Whereupon the President voted in the negative.

Mr. Chase gave notice that he would on to-morrow or some succeeding day introduce a motion to amend the thirtieth rule of the Senate so as to require the taking a vote on pending amendments.

The following resolution laid on the table yesterday

Resolved by the Senate, Assembly concurring, That the President of the Senate and Speaker of the Assembly invite the resident Clergymen, the Rev. Mr. Lord, Rev. Mr. Penman and

Rev. Mr. Read, to officiate alternately as chaplains to both Houses of the Legislature during the present session,

Was taken up.

And the same being under consideration,

Mr. Horn moved to amend the same as follows:

After the word "Mr. Read" insert "and all other Clergymen in the State of Wisconsin, without regard to their religious opinions,"

Which was not agreed to.

Mr. Kinney moved to amend as follows:

Strike out the words "the Assembly concurring" and the words "the Speaker of the Assembly,"

Which was agreed to.

And the ayes and noes being called for,

Those who voted in the affirmative, were

Messrs. Botkin, Boyd, Goodell, Kinney. Lakin, Merrell, Norton, Smith, Sprague, Willard and Williams,—11.

Those who voted in the negative, were

Messrs. Chase, Cothren, Dennis, Fisher, Horn, Murphy and Sholes,—7.

Mr. Boyd moved to amend as follows:

Strike out all after the word "Resolved," and insert; "That the President of the Senate be requested to invite the resident clergymen of Madison to open our sessions with prayer on the morning of each day."

Mr. Smith moved to lay the amendment on the table,

Which was not agreed to.

Mr. Smith moved to amend the amendment, by striking out all after the word "Senate," and insert as follows:

Be requested to invite the Rev. Mr. Mills of Waukesha to officiate as Chaplain of the Senate during the present session;

Which was not agreed to.

Mr. Horn moved to amend the amendment by adding;

Providing no money shall be drawn from the Treasury for such services; which was not agreed to,

And the ayes and noes being called for,

Those who voted in the affirmative, were

Messrs. Cothren, Fisher, Horn, Kinney, Murphy, Smith and Williams,—7.

Those who voted in the negative, were

Messrs. Botkin, Boyd, Chase, Dennis, Goodell, Lakin, Merrell, Norton, Sholes, Sprague and Willard,—11.

Mr. Botkin moved to amend the amendment as follows:

Strike out, after the word "invite," to the word "to" after Madison, and insert,

The Clergymen of the different denominations in the village of Madison,

Which was agreed to.

And the question recurring on the amendment as amended,

It was agreed to.

And the ayes and noes being called for,

Those who voted in the affirmative were

Messrs. Botkin, Boyd, Chase, Cothren, Dennis, Fisher, Goodell, Horn, Kinney, Lakin, Merrell, Murphy, Norton, Smith, Sprague, Willard and Smith—17.

Mr. Sholes voted in the negative—1.

And the question recurring on the resolution as amended,

It was adopted.

And the ayes and noes being called,

Those who voted in the affirmative were

Messrs. Botkin, Boyd, Dennis, Goodell, Kinney, Lakin, Merrell, Norton, Smith, Sprague, Willard and Williams—12.

Those who voted in the negative were

Messrs. Chase, Horn, Murphy and Sholes—4.

Mr. Smith offered the following resolutions:

Resolved, That the Judges of the Supreme Court are hereby requested to give their opinion upon the following question:

"Is it constitutional for the Legislature to appropriate money from the State Treasury to pay for the services of Chaplain?

Resolved, That a copy of the foregoing resolution be transmitted to the Supreme Court now in session at Madison.

And the resolutions being under consideration,

Mr. Lakin moved to amend the same by striking out the words "Judges of the Supreme Court" where they occur and insert "Attorney General,"

Which was agreed to.

And the ayes and noes being called,

Those who voted in the affirmative were

Messrs. Cothren, Dennis, Fisher, Horn, Lakin, Merrell, Murphy, Norton, Sprague and Williams—10.

Those who voted in the negative were

Messrs. Botkin, Boyd, Chase, Goodell, Kinney, Sholes, Smith and Willard—8.

Mr. Merrell moved to amend by inserting after the word "Chaplain" as follows:

"Door-keepers, Firemen, Messengers, and others employed by the Chief Clerk and Sergeant-at-Arms."

Mr. Horn moved to amend the amendment, by adding, "And whether all or any portion of said officers are necessary for the dispatch of business,"

Which was not agreed to.

And the question recurring on the amendment,

It was not agreed to.

And the ayes and noes being called for,

Those who voted in the affirmative were

Messrs. Botkin, Lakin, Merrell, Norton and Williams—5.

Those who voted in the negative were

Messrs. Boyd, Chase, Cothren, Fisher, Goodell, Horn, Kinney, Murphy, Sholes, Smith, Sprague and Willard—12.

And the question recurring on the resolutions as amended,

They were adopted.

The President announced the appointment of the following standing committees of the Senate:

STANDING COMMITTEES OF THE SENATE.

On the Judiciary.—Messrs. Cothren, Lakin and Chase.

On Finance.—Messrs. Smith, Sholes and Dennis.

On Education and School Lands.—Messrs. Lakin, Williams and Sprague.

On Incorporations.—Messrs. Williams, Cothren and Lakin.

On Claims.—Messrs. Murphy, Norton and Kinney.

On Internal Improvements.—Messrs. Dennis, Botkin and Murphy.

On Roads and Bridges.—Messrs. Willard, Fisher and Horn.

On Town and County Organization.—Messrs. Kinney, Boyd, and Gardner.

On the Militia.—Messrs. Boyd, Merrell and Murphy.

On Privileges and Elections.—Messrs. Dennis, Botkin and Smith.

On Agriculture and Manufactures.—Messrs. Goodell, Sholes and Norton.

On the Expiration and re-enactment of Laws, &c.—Messrs. Gardner, Chase and Willard.

On Legislative Expenditures.—Messrs. Norton, Sprague and Fisher.

On State Affairs.—Messrs. Botkin, Kinney and Williams.

On Public Printing.—Messrs. Sholes, Merrell and Gardner.

On Contingent Expenditures.—Messrs. Merrell, Horn and Goodell.

On Public Lands.—Messrs. Chase, Horn and Sholes.

On University and University Lands.—Messrs. Horn, Boyd and Williams.

On Enrolled Bills.—Messrs. Boyd, Smith and Goodell.

Joint Committee on State Library.—Messrs. Sprague, Dennis and Cothren.

On motion of Mr. Horn,

The Senate adjourned until 10 o'clock on Monday morning.

Monday, January 15, 1849.

Prayer by the Rev. Mr. Penman.

The reading of the Journal of Saturday was dispensed with.

Mr. Horn offered the following resolution:

Resolved, by the Senate and Assembly, That the two Houses will meet in Convention at 11½ o'clock A. M. this day in the Assembly Chamber to proceed to the election of a Senator in the Congress of the United States;

Which was considered and adopted.

Mr. Dennis presented the account of George E. Graves for the support of States Prisoners,

Which was referred to the committee on claims.

Mr. Chase moved a call of the House:

Whereupon Messrs. Botkin, Cothren, Lakin, Merrell Norton, and Sholes were reported absent.

The Sergeant-at-Arms being sent for the absentees.

On motion of Mr. Kinney, further proceedings on the call were dispensed with.

Mr. Chase offered the following resolution:

No. 3, (S.) Joint Resolutions relating to Public Lands;

Which was read first and second times, laid on the table and orderded to be printed.

A message from the Assembly by their chief clerk:

Mr. President—

The Assembly have adopted the following Joint Resolutions in which the concurrence of the Senate is requested, to wit:

No. 1. *Resolved,* That, if the Senate concur, a Joint Committee consisting of two members of the Senate and three members of the Assembly be appointed, which shall constitute a committee on Printing, who shall have power to examine the bills on file in the office of the Secretary of State, and to investigate matters generally with reference to the Printing, and to perform all other duties required by an act entitled "an act relative to Printing," approved August 19, 1848, which are to be performed by a Joint Committee.

No. 2. *Resolved,* by the Senate and Assembly, That the report of the commissioners appointed to revise the Laws of the State, be referred to a Joint Select Committee of the two houses, consisting of six from the Assembly and three from the Senate, and that said committee report to either house from time to time as they shall see fit.

No. 3. *Resolved,* if the Senate concur, That five hundred copies of the Constitution of this State, and also of the act of Congress preliminary to the admission of Wisconsin as a State and the act admitting Wisconsin as a State, be printed for the use of the Legislature, and that the Sergeant-at-Arms be directed to place in the Library one hunbred copies for the use of the next Legislature.

The following Joint Standing Committees have been appointed by the Assembly to act in conjunction with similar committees on the part of the Senate, to wit:

On State Affairs.—Messrs. Phelps, Willard, W. H. Johnson and King.

On Legislative Expenditures.—Messrs. Wells, Roys, Kelsey, Pratt and Kimball.

On Enrolled Bills.—Messrs. Kerr, Toland, Pike, Page and Kuehn.

Mr. Murphy offered the following Resolution:

Resolved, That the Chief Clerk be authorized to procure from the Librarian (blank) copies of the debates of the last Constitutional Convention for the use of the members of the Senate.

Mr. Norton moved to fill the blank with "twenty one,"

Which was agreed to;

And the resolution was adopted.

Mr. Willard presented the petition of Sundry citizens of Racine county, praying for a repeal of the act, entitled "An act to establish the re-survey of the village of Waterford,

Which was referred to the committee on Incorporations.

The Presiedent announced the following committee on engrossed bills, Messrs. Fisher, Willard and Merrell.

The President communicated the following answer of the Attorney General to the resolution submitted to him on the constitutionality of appropriation to pay a chaplain.

To the Senate of the State of Wisconsin:

In compliance with the resolution of your Honorable body calling for an opinion in regard to the constitutionality of an appropriation to pay for the services of a chaplain, the following is respectfully submitted:

The Legislature has an absolute control over the funds in the State Treasury, and has the power to pass any law in all cases when they are not restrained by the Constitution. The only question then which can arise in the matter under consid eration is, whether there is a constitutional provision which prohibits an appropriation for a chaplain.

Section 18 of Article 1st of the Constitution, prohibits that no money shall be drawn from the Treasury for the benefit of religious Societies or religious Theological Seminaries, &c. An appropriation to pay a chaplain for his services either in the Senate or Assembly is in no respect an appropriation for the benefit of a religious Society within the terms of the constitution, but is a payment to a private person for his own services rendered to the public. It is true that an indirect advantage may arise to some religious society but the same benefit might result from the payment of a debt of any nature due to a member of a religious society. But the appropriation under consideration is for the personal benefit of a private individual and one in which no religious society has a legal interest. The first part of the same section prohibiting a law to compel any individual to assist or maintain any ministry, does not affect any appropriation from the public Treasury to pay for the services of a chaplain.

The next question which arises is, whether the Legislature is restrained from providing for the employment of a chaplain? In deciding upon the different provisions of the constitution in regard to officers, all the provisions must be considered together, and the design of them (if possible) ascertained.

Section 30 of article 4 provides that all elections by the Legislature shall be *viva voce*, &c.

Section 6 of article 13, provides that the elective officers of the legislature, other than the presiding officers, shall be Chief Clerk and Sergeant-at-arms, to be elected by each House.— The design of this could not have been to limit the power of the Legislature to the employment of these two officers. The word "Chief Clerk" shows that the employment of a deputy-clerk was contemplated. The object undoubtedly was to prevent the evils arising from the election by the Legislature of a large number of officers, evils of which much complaint existed at the time of the formation of the constitution. If that view be correct, the Legislature may provide for the appointment and payment of other persons, whose services the Legislature may deem necessary to facilitate public business,

JAMES S. BROWN,
Att'y. General.

On motion of Mr. Gardner,

The message of the Assembly was taken up;

Whereupon,

The question being on the adoption of the resolution, No. 1, in regard to the Joint Committee on Printing,

The same was adopted.

And Messrs. Sholes and Merrell were appointed members of such Joint Committee on part of the Senate.

The question then being on the adoption of the resolution, No. 2, in regard to the Joint Committee on Report of Revisers of the Laws,

The same was adopted;

And Messrs. Williams, Chase and Botkin were appointed members of such Joint Committee on part of the Senate.

The question being on the adoption of the resolution, No. 3, in regard to the Joint Committee on the Printing of the copies of the Constitution.

Mr. Boyd moved to amend by striking out 'one hundred' and inserting 'four hundred,'

Which was not agreed to.

Mr. Williams moved to amend by striking out all after the word "copies" where it last occurs, and insert the word "thereof;"

Which was agreed to.

And the question recurring on the joint resolution as amended, It was non-concurred in.

And the yeas and nays being called,

Those who voted in the affirmative were

Messrs. Cothren, Dennis, Kinney, Murphy and Smith—5.

Those who voted in the negative were

Messrs. Botkin, Boyd, Chase, Fisher, Gardner, Horn, Merrell, Norton, Sholes, Sprague, Willard and Williams—12.

Mr. Horn offered the following resolution:

Resolved, That a committee of three be appointed to revise the rules of the Senate.

Which was adopted.

And Messrs. Horn, Dennis and Lakin were appointed such committee.

Mr. Horn moved a reconsideration of the vote by which the following resolution was negatived:

Resolved, That each member of the Senate be authorized to order for his own use during the present session, any number of newspapers not exceeding Thirty per week, and that the same be audited and settled as other incidental expenses.

And the question being on the reconsideration,

It was decided in the affirmative.

And the ayes and noes being called for,

Those who voted in the affirmative were

Messrs. Botkin, Cothren, Fisher, Horn, Merrell, Murphy, Norton, Smith, Sprague and Williams—10.

Those who voted in the negative were

Messrs. Boyd, Chase, Gardner, Goodell, Kinney, Lakin, Sholes and Willard—8.

And the question being on the resolution,

Mr. Horn moved to amend by striking aut "thirty" and inserting "seventy-five;"

Which was not agreed to.

And the question recurring on the resolution,

Mr. Chase moved a call of the House.

And the roll having beeen called,

Messrs. Dennis and Lakin were reported absent.

On motion of Mr. Cothren,

Mr. Lakin was excused.

Mr. Sholes moved that further proceedings in the call be dispensed,

Which was agreed to.

And the question recurring on the adoption of the resolution,

It was decided in the negative;

And the ayes and noes being called,

Those who voted in the affirmative, were

Messrs. Botkin, Cothren, Fisher, Horn, Murphy, Norton, Smith, Sprague and Williams,—9.

Those who voted in the negative, were

Messrsr Boyd, Chase, Dennis, Gardner, Goodell, Kinney, Merrell, Sholes and Willard,—9.

The President voted in the negative.

Mr. Chase moved a call of the House, and

The roll being called,

Messrs. Horn, Lakin and Williams, were reported absent.

Mr. Sholes moved to dispense with further proceeding on the call,

Which was not agreed to;

And the ayes and noes being called for,

Those who voted in the affirmative, were

Messrs. Botkin, Chase, Goodell, Merrell, Norton, Sholes and Willard,—7.

Those who voted in the negative, were

Messrs. Boyd, Cothren, Fisher, Kinney, Murphy, Smith and Sprague,—7.

The President voted in the negative.

The Sergeant-at-Arms reported the absentees, as present.

Mr. Willard moved that Senate do now adjourn,

Which was not agreed to;

And the ayes and noes being called for,

Those who voted in the affimative, were

Messrs. Botkin, Chase, Goodell, Merrell, Norton, Sholes and Willard,—7.

Those who voted in the negative, were

Messrs. Boyd, Cothren, Dennis, Fisher, Gardner, Horn, Kinney, Murphy, Smith, Sprague and Williams,—11.

On motion of Mr. Kinney,

The Senate adjourned until 2 o'clock this afternoon.

SAME DAY TWO O'CLOCK, P. M.

Mr. Smith moved a call of the House,

And the roll having been call,

Messrs. Cothren, Horn, Lakin and Williams, were reported absent.

On motion of Mr. Norton,

Mr. Lakin was excused.

A message from the assembly by their chief clerk:

Mr. PRESIDENT:

I am directed to inform you that the Assembly have concurred in the passage of,

No. 1, (S.) Joint Resolution in relation to the vote, on the county seat of Washington County.

Mr. Kinney moved that further proceedings on the call be dispensed with,

Which was agreed to.

Mr. Gardner moved to adjourn,

Which was not agreed to;

And the ayes and noes being called for,

Those who voted in the affirmative, were

Messrs. Botkin, Gardner and Merrell,—3.

Those who voted in the negative, were

Messrs. Boyd, Chase, Cothren, Dennis, Fisher, Kinney, Murphy, Norton, Sholes, Smith, Sprague, Willard and Williams, —13.

On motion of Mr. Kinney,

The Senate resolved itself into a committee of the whole on the Governor's Message;

Mr. Boyd in the chair.

And after some time spent therein, the committee rose and by their chairman reported,

That the committee had had under consideration the Governors Message, and had agreed to recommend the reference of the different parts thereof, as follows:

That so much of the Governor's Message as relates to the subject of corporations be referred to the committee on corporations.

That so much as relates to Internal Improvements be referred to the committee on Internal Improvements.

That so much as relates to Probate courts be referred to the committee on the Judiciary.

That so much as relates to Roads be referred to the committee on Roads and Bridges.

That so much as relates to Docket Fees be referred to the committee on Finance.

That so much as relates to a State Prison, be referred to the committee on State Affairs.

That so much as relates to the Canal Lands, be referred to the committee on State Affairs.

That so much as relates to a revision of the Militia laws, be referred to the committee on the Militia.

That so much as relates to the Judiciary, be referred to the committee on the Judiciary.

That so much as relates to the subject of Book Keeping, be referred to the committee on Education and School Lands.

That so much as relates to the alteration of the Laws in capital offences, be referred to the committee on Expiration and Re-enactment of Laws.

That so much as relates to School and University Lands be referred to the Committee on University Lands.

That so much as relates to the publication of the Laws be referred to the committee on State affairs.

That so much as relates to evidences of State debt and direct taxation be referred to the committee on Finance.

That so much as relates to Homestead Exemption be referred to the committee on Agriculture and Manufactures.

That so much as relates to Capitol, public grounds and public property be referred to the committee on State affairs.

That so much as relates to a Geological Survey of the State be referred to the committee on State affairs.

That so much as relates to the Law exempting personal property be referred to the committee on the expiration and re-enactment of the laws.

That so much as relates to the system of Common Schools and of fines, forfeitures and escheats to the school fund be referred to the committee on education and school lands.

That so much as relates to the Patents for the canal lands be referred to the committee on the Judiciary.

That so much as relates to the Fox River Improvement and a grant of lands therefor be referred to the committee on Internal Improvement.

That so much as relates to the subject of International Exchanges be referred to the committee on Agriculture and Manufactures.

That so much as relates to the National Domain be referred to the committee on public lands.

That so much as relates to the superintendent of public instruction be referred to the committee on the Judiciary,

That so much as relates to the sale of the school lands be referred to the committee on education and school lands.

That so much as relates to the extension of the Institution of Slavery be referred to the committee on public lands.

Which report was received and adopted.

On motion of Mr. Cothren,

The Senate adjourned until 10 o'clock to-morrow morning.

Tuesday, January 16, 1849.

Prayer by the Rev. Mr. Penman.

On motion of Mr. Horn,

The reading of the Journal of yesterday was dispensed with.

Mr. Chase on leave introduced,

No. 3, (S.) Bill to appropriate to the county of Brown the sum therein named;

Which was read a first and second time.

Mr. Horn gave notice that he would on to-morrow or some future day ask leave to introduce the following:

A bill concerning the rights of married women.

A bill repealing "An act concerning Mills and Mill Dams, approved Jan. 13, 1840."

Mr. Cothren offered the following Resolution:

Resolved by the Senate, (the Assembly concurring,) That on this day at 2 o'clock P. M., the Senate and Assembly will meet in joint convention in the Assembly Hall and proceed to the election of a United States Senator,

Which was adopted.

And the ayes and noes being called,

Those who voted in the affirmative were

Messrs. Boyd, Cothren, Dennis, Fisher, Gardner, Horn, Kinney, Murphy, Smith, Sprague and Williams,—11

Those who voted in the negative were

Messrs. Botkin, Chase, Goodell, Merrell, Norton, Sholes and Willard,—7.

The chief clerk made the following report:

That he had served the following certified copy of a resolution on the Librarian, J. Gillett Knapp, and that he had received for answer from him that the books could only be distributed according to law.

Resolved, That the chief clerk be authorized to procure from the Librarian twenty-one copies of the Debates of the last constitutional convention for the use of the members of the Senate.

Certified by
WM. R. SMITH,
Chief Clerk of Senate.

January 15, 1849.

Mr. Murphy moved that the said report and resolution be referred to the committee on the Judiciary,

Which was agreed to.

The memorial and petition of H. Eugene Eastman, in regard to the contested seat of Lemuel Goodell, together with the accompanying resolutions was taken up, and the same being under consideration.

Mr. Chase moved that the same, with accompanying documents be referred to the committee on Privileges and Elections,

Which was agreed to.

Mr. Sholes presented the memorial of Wm. Duane Wilson, General agent of the Magnetic Telegraph line, requesting Legislative aid;

Which was referred to the committee on Legislative Expenditures.

On motion of Mr. Horn,

The Senate resolved itself into a committee of the whole on bill,

No. 2, (S.) Bill relating to Interest;

Mr. Williams in the chair.

After some time spent therein, the committee rose and by their chairman reported back the said bill without amendment,

And the question being on ordering the bill to be engrossed and read a third time,

It was decided in the affirmative;

And the ayes and noes being called for,

Those who voted in the affimative, were

Messrs. Chase, Cothren, Fisher, Goodell, Horn, Kinney, Merrell, Murphy, Sholes, Willard and Williams,—11.

Those who voted in the negative, were

Messrs. Botkin, Boyd, Gardner Smith and Sprague,—5.

On motion of Mr. Cothren,

The Senate adjourned until half past one o'clock this afternoon.

SAME DAY HALF PAST ONE O'CLOCK, P. M.

A message from the Assembly by their chief clerk:

Mr. President—

I am directed to inform you that the Assembly have adopted the following Joint Resolution:

Resolved, the Senate concurring, That when the Legislature shall have met for the purpose of chossing a United States Senator the election shall be made by ballot, and said election shall take place on Wednesday next at 12 o'clock, Meridian.

And the Message being taken up and considered,

Mr. Horn offered the following amendment:

Strike out all after the word "Resolved" and insert as follows:

"That the two Houses of the Legislature will meet in joint convention in the Assembly Chamber on Wednesday, the 17th instant, at 12 o'clock Meridian, for the purpose of choosing a

Senator in the place of Isaac P. Walker, whose term will expire on the third day of March next;"

Which was agreed to.

And the resolution as amended was concurred in.

On motion of Mr. Kinney,

The Senate adjourned until 10 o'clock to-morrow morning.

WEDNESDAY, January 17th, 1849.

Prayer by the Rev. Mr. Penman.

The Journal of yesterday was read and corrected.

Mr. Sholes presented the account of Cooley and Cowdery for publishing the proposals for Printing for the State.

Also, the account of Delany and Wright for publishing the official canvass of State election;

Which were referred to the joint select committee on printing.

Mr. Chase presented a petition of sundry citizens of Fond du Lac county praying for a law for a State Road from Ceresco to Oshkosh;

Which was referred to the committee on roads and bridges.

Mr. Cothren presented a petition of sundry citizens of the State of Wisconsin praying for a law for a State Road from Franklin in Iowa county, to the mouth of Pine River in Richland county, and thence the best route across the Barraboo to Plover Portage;

Which was referred to the committee on roads and bridges.

Mr. Merrell offered the following reselution:

Resolved, That the reporters of newspapers be permitted to occupy seats within the bar of the Senate at any desk not occupied by the members;

Which was adopted.

Mr. Fisher on leave introduced the following bill:

No. 4, (S.) A bill to amend an act to provide for the appraisal and subdivision of the school and university lands, approved August 12th, 1848;

Which was read a first and second times.

Mr. Fisher from committee on engrossed bills reported as correctly engrossed,

No. 2, (S.) Bill relating to interest.

And the question being on the passage of the bill,

Mr. Cothren moved to amend the same by unanimous consent, as follows:

Insert between the words "contracts" and "shall" where they occur in the first section, the words "specifying the same in writing;"

Which was agreed to.

And the question recurring on the passage of the bill, as amended,

It was passed.

And the ayes and noes being called for,

Those who voted in the affirmative were

Messrs. Chase, Cothren, Dennis, Fisher, Goodell, Horn, Kinney, Murphy, Sholes, Willard and Williams—11.

Those who voted in the negative were

Messrs. Botkin, Boyd, Gardner, Lakin, Merrell, Norton, Smith and Sprague—8.

The title of the bill was agreed to.

A message from the Assembly by their chief clerk:

Mr. President—

I am diected to rinform you that the Assembly have nonconcurred in the amendment of the Senate to the Joint Resolution (of the Assembly) relative to the election of United States Senator; and have appointed as the joint select committee on the report of the commissioners to revise the laws, Messrs. Barber, Hastings, Cross, Strong, Brown and Burns, on the part of the Assembly. And Messrs. Delaney, Vineyard and Kelsey, as the joint select committee on printing, on the part of the Assembly.

I am further directed to inform you that the Assembly have adopted the following resolutions, to wit:

Resolved, if the Senate concur, That the joint rules and orders for the government of the Senate and Assembly adopted by the last Legislature, be adopted as the permanent rules and orders for the government of the present session.

Resolved, the Senate concurring, That the two Houses of the Legislature meet in convention in the Assembly Hall this day at 11½ o'clock, A. M. for the purpose of electing a United States Senator, whose term of office shall commence on the 4th day of March next;

In which the concurrence of the Senate is requested.

And the said message was then taken up,

And the question being on concurring with the first resolution,

It was concurred in.

And the question being on concurring in the second resolution,

It was concurred in.

Mr. Cothren offered the following Resolution.

Resolved, That each member of the Senate be allowed to take thirty-five newspapers each week for his individual use to be paid for out of the State Treasury,

Which was considered and adopted;

And the ayes and noes being called for,

Those who voted in the affirmative, were

Messrs. Cothren, Fisher, Horn, Lakin, Merrell, Murphy, Norton, Smith, Sprague and Williams,—10.

Those who voted in the negative, were

Messrs. Botkin, Boyd, Chase, Dennis, Gardner, Goodell Kinney, Sholes and Willard,—9.

A message from the Assembly by their chief clerk.

Mr. PRESIDENT:—I am directed to inform you that the Assembly have adopted the following Resolution:

Resolved, That the Honorable the Senate be informed that the Assembly are now ready to meet them in joint convention for the selection of a United States Senator, in the Assembly chamber.

On motion of Mr. Dennis,

The Senate proceeded to the Assembly chamber.

IN CONVENTION OF BOTH HOUSES.

WEDNESDAY, January 17, 1849.

The two Houses of the Legislature met in Joint Convention for the purpose of electing a United States Senator to represent the State of Wisconsin in the Congress of the United States.

On motion of Mr. Cothren,

The roll of the convention was called,

Whereupon, all of the Senators were reported present, answering to their names.

All of the members of the Assembly were reported present, answering to their names.

On motion of Mr. Dennis,

The convention proceeded to vote viva voce for a Senator in Congress.

Whereupon the roll being called,

Those who voted for Isaac P. Walker were,

Messrs. Boyd, Cothren, Dennis, Fisher, Gardner, Goodell, Horn, Kinney, Murphy, Smith, Sprague and Williams—Senators, and

Messrs. Alden, Barber, Bowron, Brown, Burns, Cotton, Clark, Cross, Delany, Fagan, Flinn, Gillilan, Hill, W. H. Johnson, Kuehn, Kimball, King, Leland, Noble, Nute, O'Neal, Parkinson, Phelps, Pierce, Rickerson, Rockwell, Roys, Thomas, Toland, Turck, Vineyard, Wason and Hobart Speaker of the Assembly—45.

Those who voted for Byron Killburn, were

Messrs. Chase, Sholes and Willard—Senators, and

Messrs. Ayres, Colwell, Colley, Dougherty, Hastings, Kelsey, Lown, Martin, Pratt, Reymert, Strong, Thorp. Warren, Wells and Willard of the Assembly—18.

Those who voted for Alexander Botkin, were

Messrs. Lakin, Merrell and Norton—Senators, and

Messrs. Bird, Briggs, Chase, Crandall, Crawford, Dick, Hazard, Kerr, Page, Pike, Pope, Sugden, Townsend, White and Young of the Assembly—18.

Those who voted for Morgan L. Martin, were

Messrs. Juneau and Meade of the Assembly—2.

Mr. Botkin of the Senate voted for William S. Hamilton—1.

Mr. Solon Johnson of the Assembly voted for James Duane Doty—1.

The President announced the result of the vote as follows:

Whole number of votes—	85.	
Necessary for a choice—	43.	
Isaac P. Walker received	45.	votes.
Byron Killburn “	18.	
Alexander Botkin “	18.	
Morgan L. Martin “	2.	
James Duane Doty “	1.	
William S. Hamilton received	1.	

Whereupon,

Isaac P. Walker having received a majority of all the votes for that office, was declared duly elected Senator to represent the State of Wisconsin in the Congress of the United States for the term of six years from the fourth day of March next.

On motion of Mr. Horn,

The Convention then dissolved.

The Senate having returned to the Senate Chamber,

The President announced the result of the vote of the Joint Convention.

On motion of Mr. Dennis,

The Senate adjourned until 10 o'clock to-morrow morning.

THURSDAY, January 18, 1849.

The Senate was called to order, in the absence of the Lieutenant Governor, by Mr. Kinney.

The roll being called, all the Senators answered except Mr. Gardner.

Whereupon the Senate proceed to elect a President pro tempore.

And the roll being called,

Messrs. Chase, Goodell, Kinney, Murphy, Sholes, Sprague and Willard, 7, voted for Mr. Boyd.

Messrs. Botkin and Lakin, 2, voted for Mr. Chase.

Messrs. Boyd and Cothren, 2, voted for Mr. Dennis.

Messrs. Dennis and Fisher, 2, voted for Mr. Williams.

Messrs. Horn and Norton, 2, voted for Mr. Sholes.

Mr. Williams voted for Mr. Fisher.

Mr. Merrell voted for Mr. Smith.

Mr. Smith voted for Mr. Merrell.

There being no choice, the Senate proceeded to a second vote.

And the roll being called,

Messrs. Dennis, Goodell, Kinney, Murphy, Sholes, Smith, Sprague and Willard, 8, voted for Mr. Boyd.

Messrs. Botkin, Chase, Fisher, Horn and Lakin, 5, voted for Mr. Cothren.

Messrs. Boyd, Cothren and Williams, 3, voted for Mr. Dennis.

Messrs. Merrell and Norton, 2, voted for Mr. Chase.

There being no choice, the Senate proceeded to a third vote.

And the roll being called,

Messrs. Chase, Dennis, Fisher, Gardner, Goodell, Kinney, Murphy, Sholes, Smith, Sprague, Willard and Williams, 12, voted for Mr. Boyd.

Messrs. Botkin, Merrell and Norton, 3, voted for Mr. Lakin.

Messrs. Cothren and Horn, 2, voted for Mr. Dennis.

Mr. Boyd voted for Mr. Chase.

Mr. Lakin voted for Mr. Botkin.

Mr. Boyd having received a majority of all the votes was declared duly elected President pro tempore of the Senate, and was conducted to the chair.

Prayer by the Rev. Mr. Read.

The Journal of yesterday was read and corrected.

A message from the Assembly by their chief clerk:

Mr. President—

I am directed to inform you that the Assembly have adopted the following Joint Resolution:

Resolved, the Senate concurring, That the Secretary of State be requested to report through the President of the Senate to both branches of the Legislature now in session, the amount of Revenue due and unpaid from each and every county within the State,

In which the concurrence of the Senate is requested.

And the said message being taken up and under consideration,

The question being on con-curring in the resolution,

It was non-concurred in.

Mr. Norton moved to reconsider the vote just taken,

Which was agreed to.

And the question being on concurring in the resolution,

It was concurred in.

And the ayes and noes being called for,

Those who voted in the affimative, were

Messrs. Botkin, Boyd, Chase, Cothren, Dennis, Gardner, Goodell, Horn, Kinney, Lakin, Merrell, Murphy, Norton, Smith, Sprague, Willard and Williams—17.

Those who voted in the negative, were

Messrs. Fisher and Sholes—2.

Mr. Kinney presented the account of Hale and Chapman against the State;

Which was referred to the Committee on claims.

On motion of Mr. Chase,

No. 3, (S.) A bill to appropriate to the county of Brown the sum therein named,

Was taken up and referred to the committee on claims.

On motion of Mr. Cothren,

The Senate adjourned until 10 o'clock to-morrow morning.

FRIDAY, January 19, 1849.

Prayer by the Rev. Mr. Penman.

The Journal of yesterday was read and corrected.

Mr. Williams on leave introduced,

No. 4, (S.) Memorial to Congress on the subject of a Mail route from the city of Racine to Madison,

Which was read,

And on motion of Mr. Willard,

It was laid on the table and ordered printed.

Mr. Norton presentod the petition of E. R. Utter, in relation to his claim on an appropriation made to him by act of March 13, 1848, and not yet drawn from the Treasury;

Which was referred to the committee on claims.

Mr. Williams offered the following Resolution:

Resolved by the Senate and Aesembly, That four hundred and fifty copies of the Report of the Revisers in pamphlet form, and two hundred copies of each of the Bills accompanying said Report be printed for the use of the members of this Legislature;

Which was adopted.

Mr. Kinney moved, that the two accounts of J. C. Fairchild against the State, one for $21,60, and one for $12,63, presented at last session of the Legislature and not acted on, be withdrawn from the files, and now referred to the committee on claims;

Which was agreed to.

Mr. Botkin presented a memorial to Congress on the subject of the establishment of a Marine Hospital at Rock Island;

Which was read, and referred to a Select Committee consisting of

Messrs. Botkin, Cothren and Norton.

Mr. Fisher gave notice that he would on to-morrow or some future day ask leave to introduce a bill to appropriate to the county of Crawford the sum therein named.

Mr. Horn on leave introduced the following Bills:

No. 5, (S.) A bill concerning the rights of Married Women.

No. 6, (S.) A bill to repeal an act in relation to Mills and Mill Dams;

Which were severally read a first and second times.

Mr. Cothren from the committee on the Judiciary, to whom was referred the Report of the chief clerk in relation to the resolution to procure copies of the debates of the late Constitutional Convention, from the Librarian, for the use of the members of the Senate,

Reported as follows:

The Judiciary Committee beg leave to

REPORT,

That having had under advisement the Resolution of the Senate relative to the Journals and debates of the late Constitutional Convention, they are of the opinion that the object contemplated by that resolution can alone be obtained by the passage of a law or a Joint Resolution of the two Houses of the Legislature.—

The committee therefore present a bill to provide the members of the Legislature with certain books in furtherance of the object contemplated by said Resolution, and

No. 7, (S.) A bill for an act to provide the Legislature with certain books,

Was read a first and second times, and

On motion of Mr. Dennis,

The printing of said bill was dispensed with.

Mr. Horn moved that all rules be suspended in regard to the said bill No. 7, (S.,) and that it be now ordered to be engrossed and read a third time;

Which was agreed to.

And the question being on ordering the bill to be engrossed and read a third time,

It was agreed to;

And the ayes and noes being called for.

Those who voted in the affirmative, were

Messrs. Botkin, Chase, Cothren, Dennis, Horn, Kinney, Lakin, Murphy, Norton, Sprague and Willard—11.

Those who voted in the negative, were

Messrs. Boyd, Fisher, Gardner, Goodell, Merrell, Sholes, Smith and Williams—8.

Mr. Murphy, from the committee on claims reported back

No. 3, (S.) Bill to appropriate to the county of Brown the sum therein named.

The President laid before the Senate the following communication from the Secretary of State:

SECRETARY'S OFFICE,
MADISON, January 16, 1849.

Hon. John E. Holmes,
Lieutenant Governor, &c.—

Sir: Herewith I have the honor to transmit to the Legislature my first annual report as Secretary of State.

I am, with great respect,
Your ob't serv't,
THOS. McHUGH,
Secretary of State.

And the report being taken up,

Mr. Dennis moved to dispense with the reading of the same, and that it be laid on the table and 500 copies thereof printed;

Which was agreed to.

OFFICE OF THE SECRETARY OF STATE,
MADISON, Jan. 18, 1849.

Hon. John E. Holmes,
Lieutenant Governor, &c.—

Sir: I have the honor to acknowledge the receipt of a joint resolution of the Legislature requesting me to report the amount of Revenue due and unpaid from each county in the State, and would respectfully report, That the abstract marked F. in my annual Report, made this morning, to the Legislature contains a detailed statement of the amount due the State from the several counties, both for arrearages of Territorial revenue and for the State Tax, for the year ending December 31st, 1848.

With great respect,
Your ob't serv't,
THOS. McHUGH,
Secretary of State.

A message from the Assembly by their chief clerk:

Mr. President—

I am directed to inform you that the Assembly have passed,

No. 6, (A.) A bill to extend the time of collecting and returning taxes in the town of Waukesha;

In which the concurrence of the Senate is requested.

And the message being taken up,

No. 6, (A.) A bill to extend the time of collecting and returning taxes in the town of Waukesha,

Was read a first and second times.

Mr. Williams moved to suspend all rules in relation to the said bill, and that it be now read a third time and passed;

Which was agreed to.

And the said bill,

No. 6, (A.) A bill to extend the time of collecting and returning taxes in the town of Waukesha,

Was read a third time, passed, and the title agreed to.

The President laid before the Senate the following message from the Governor:

EXECUTIVE DEPARTMENT,
MADISON, January 16th, 1849.

To the Senate and Assembly:

In pursuance of an Act of the Legislature entitled "An act relating to stationery," approved August 21st, 1848, authorizing the Governor to contract to the lowest bidder for the necessary stationery for the use of the State offices, I entered into a contract on behalf of the State, with Messrs. Hale & Chapman, of the city of Milwaukee, for such supply of stationery as the wants of the different State offices required. A copy of the contract with a list of the stationery to be furnished, and the price for the same is herewith communicated.

This contract was made witn these gentlemen as the lowest bidders, in accordance with the Constitution of the State and the act refered to. The aggregate amount of the bill furnished, is five hundred and ninety-two dollars and fifty-six cents, and the whole bill has been delivered to and received by this department, and Messrs. Hale and Chapman have complied with the contract on their part, and it is believed to be an economical one on the part of the State. There bill is herewith submitted, certified by me as correct and I recommend that an appropriation be made to Messrs. Hale and Chapman for the above amount, and early action is required, as they are entitled at least to an appropriation for their pay. The record books and stationery furnished, are subject to the examination of the Legislature.

NELSON DEWEY.

Which Message and accompanying papers were,

On motion of Mr. Horn,

Referred to the committee on contingent expenses.

On motion of Mr. Cothren,

The Senate resolved itself into a committee of the whole on the General file of Bills;

Mr. Williams in the chair—

After some time spent therein, the committee rose and by their chairman reported back to the House,

No. 3, (S.) Bill to appropriate to the county of Brown, the sum therein named;

With the following amendments:

Strike out the words "Thomas Bennet late Treasurer of," in the first line, and the word "cancelling" in the eighth line.

No. 4, (S.) A bill to amend an act to provide for the appraisal and subdivision of the School and University Lands, approved August 12, 1848;

Without amendment.

The amendments to

No. 3, (S.) A bill to appropriate to the county of Brown the sum therein named,

Were severally taken up and concurred in;

And the said bill was ordered to be engrossed and read a third time.

No. 4, (S.) A bill to amend an act to provide for the appraisal and subdivision of the School and University Lands, approved August 12th, 1848,

Was then taken up;

And,

On motion of Mr. Fisher,

The said Bill was referred to the committee on school and university lands.

On motion of Mr. Cothren,

The Senate adjourned until 10 o'clock on Monday morning.

MONDAY, January 22, 1849.

Prayer by Rev. Mr. Read.

The Journal of Friday was read and corrected.

Mr. Dennis presented the claim of William Doughty for interest on certain Territorial Bonds, and also moved that the account of William Doughty, and the account of George Beatly be withdrawn from the files of the last session of the Senate, and now referred to the committee on claims;

Which was agreed to.

Mr. Norton moved that the account of Gideon Chapin against the State for $12,50 presented at the last session of the Legislature be withdrawn from the files, and now referred to the committee on claims,

Which was agreed to.

Mr. Chase, on leave introduced

No. 8. (S.) A bill prescribing the manner in which Individuals may change their names,

Which was read a first and second times.

Mr. Smith offered the following Resolution:

Resolution in relation to foreclosure of Mortgages.

Resolved, That the committee on the Judiciary be and is hereby instructed to inquire into the expediency of providing by law the following mode of foreclosing mortgages of real estate in addition to the laws now in force, viz:

The mortgagee or any one claiming under him after the condition in the mortgage is broken, may give public notice in any newspaper printed in the county where the premises are situated, or if there be none such, then in an adjoining county, or in the newspaper published by the printer to the State, three weeks successively, of his claim, by mortgage on such real estate, describing such premises intelligibly, and naming the date of the mortgage,and that the condition in the same has been broken by reason whereof he claims a foreclosure; and cause a copy of such printed notice, and the name and date of the newspaper in which it was last published, to be recorded in each registery of deeds in which the mortgage deed is, or ought to be by law recorded, within thirty days after such last publication; or may in lieu of the foregoing publication, cause a copy of such notice to be served and attested as a true copy, by the Sheriff of the county or his deputy in which the mortgagor or his assignee lives, if in this State, by a delivery to him in hand or by leaving the same at his last and usual place of abode; and shall cause the original notice and the sheriff's return thereon to be recorded within thirty days after such service in manner aforesaid. The mortgagor or person claiming under him may redeem the mortgaged premises within three years next after such publication, or service of such notice, and if not so redeemed, his right of redemption shall be forever foreclosed—

And report by bill or otherwise,

Which was considered and adopted.

Mr. Dennis offered the following Resolution:

Resolved, That 500 copies of the Report of the Commissioners of Public works, and the Documents accompanying the same be printed for the use of the Senate,

Which was adopted.

Mr. Goodell offered the following resolution:

Whereas, The office of Door-keeper is entirely superfluous and only tends to increase the taxes on the people;

Therefore,

Resolved, That the Sergeant-at-Arms be instructed to discharge the present Door-keeper to the Senate.

And the same being under consideration,

It was not agreed to.

A message from the Assembly by their chief clerk:

Mr. President—

I am directed to inform you that the Assembly have adopted the following joint resolution, to wit:

Resolved, (the Senate concurring,) That E. F. Herzberg be requested to furnish 1500 copies of the "Nordstern" containing the Governor's message in German—and the Hon. James D. Reymert 1000 copies of the "Nordlyset" containing the Governor's message in Norwegian language for the use of the members of the Legislature;

In which the concurrence of the Senate is requested.

The Assembly have concurred in the adoption of the following joint resolution, to wit:

Resolved, By the Senate and Assembly, That 450 copies of the report of the revisers in pamphlet form and 200 copies of each of the bills accompanying said report be printed for the use of the members of the legislature.

Mr. Fisher on leave introduced

No. 9, (S.) A bill to appropriate to the county of Crawford the sum therein named;

Which was read a first and second times.

Mr. Norton moved that the printing of said bill No. 9, (S.) be dispensed with, and that the same be referred to the committee on claims;

Which was agreed to.

Mr. Murphy gave notice that he would on to-morrow or some future day ask leave to introduce a bill to change the name of John Meehan of Willow Springs, La Fayette county, to that of John Smith.

Mr. Goodell from the committee on Agriculture and Manufactures made report; (see report;)

And on motion of Mr. Dennis,

The said report was ordered printed and the committee discharged.

Mr. Willard from the committee on roads and bridges, to whom the subject had been referred, reported

No. 10, (S.) An act to provide for laying out a certain road in the counties of Fond du Lac and Winnebago;

Which was read a first and second times and printing dispensed with.

Mr. Fisher from the committee on engrossed bills reported

No. 3, (S.) A bill to appropriate to the county of Brown the sum therein named;

No. 7, (S.) A bill for an act to provide the legislature with certain books,

As correctly engrossed.

The message of the Assembly was then taken up:

And the question being on concurring in the following resolution,

Resolved, (the Senate concurring,) That E. F. Herzberg be requested to furnish 1500 copies of the "Nordstern" containing the Governor's message in German—and the Hon. James D. Reymert 1000 copies of the "Nordlyset" containing the Governor's message in the Norwegian language—for the use of the members of the legislature.

Mr. Williams moved to amend the same as follows:

Add the following proviso:

Provided, That no sum shall be allowed for translating said message into those languages;

Which was not agreed to.

And the question recurring on concurring in the resolution,

It was non-concurred in.

And the ayes and noes being called for,

Mr. Dennis voted in the affirmative.

Messrs. Botkin, Boyd, Chase, Fisher, Goodell, Kinney, Murphy, Norton, Sholes, Smith, Sprague, Willard and Williams—13—voted in the negative.

The President laid before the Senate the Report of the Superintendent of Territorial property.

Mr. Williams moved that the reading of said report be dispensed with;

Which was agreed to.

Mr. Williams moved that said report be referred to the committee on the Judiciary, and that the same be printed;

Which was agreed to.

No. 3, (S.) A bill to appropriate to the county of Brown the sum therein named,

Was read a third time.

And the question being on its passage,

The said bill was passed.

And the ayes and noes being called,

Those who voted in the affirmative, were

Messrs. Botkin, Boyd, Chase, Dennis Fisher, Goodell, Kinney, Murphy, Norton, Sholes Smith, Sprague, Willard and Williams—14.

None in the negative.

The title of the bill was then agreed to.

No. 7 (S.) A bill for an act to provide the Legislature with certain books,

Was read a third time, passed, and the title agreed to.

Mr. Chase moved to reconsider so much of the vote on the report of the Superintendant of Territorial property, as requires the printing of the same;

Which was agreed to.

And the question being on ordering the same to be printed,

It was not agreed to.

Mr. Botkin called for the reading of the report.

Mr. Norton moved to dispense with the reading of the same,

Which was agreed to.

Mr. Kinney moved to suspend all the rules on the subject, and that Senate resolve itself into a committee of the whole on the general file of bills;

Which was agreed to.

Senate then resolved itself into a committee of the whole on the general file of bills—

Mr. Sholes in the chair.

After some time spent therein, the committee rose and by their chairman reported no bills on the general file, and asked leave to sit again;

Which leave was granted.

On motion of Mr. Dennis,

The Senate adjourned until to morrow morning at 10 o'clock.

TUESDAY, January 23, 1849.

Prayer by the Rev. Mr. Lord.

The Journal of yesterday was read and corrected.

Mr. Lakin offered the following Resolution:

Resolved, That the committee on Privileges and Elections, to whom was referred the Petition of H. Eugene Eastman setting forth his claims to a seat in this body, be instructed to receive such testimony as shall be offered touching the material allegations in said petition, and that such testimony be reported to the Senate.

Resolved, That said committee be authorized to administer the necessary oath to any person produced before them for the purpose aforesaid, and if such person so produced be a member of this Senate, he shall be required to state the truth under the oath of office which has been administered to him, without any additional oath;

Which were adopted.

Mr. Boyd from the committee on Enrolled bills, reported as correctly enrolled,

No. 6 (A.) An act to extend the time for collecting and returning taxes in the Town of Waukesha.

Mr. Cothren from the committee on the Judiciary, made the following

REPORT:

The Judiciary Committee to whom was referred the communication of J. G. Knapp, respectfully Report,

That they have prepared a bill entitled An act regulating the management of public property, which they hereby present.

M. M. COTHREN,
Chairman of Judiciary Committee.

No. 11 (S.) A bill regulating the management of public property,

Which was read a first and second times.

Mr. Dennis moved to suspend the rule which requires the printing of bills, and that the printing of this bill be dispensed with;

Which was agreed to.

And the ayes and noes being called for,

Those who voted in the affirmative, were

Messrs. Chase, Cothren, Dennis, Fisher, Kinney, Murphy, Norton, Smith, Sprague and Willard—10.

Those who voted in the negative, were

Messrs. Botkin, Boyd, Goodell, Lakin, Merrell, Sholes Willard—7.

A message from the Assembly by their chief clerk:

Mr. President—

I am directed to inform you that the Assembly have passed

No. 2, (S.) "A bill relating to interest,"

Without amendment; and

No. 1, (A.) "A bill to organize the Kilbourn road district;"

No. 4, (A.) "A bill to establish a state road through part of the county of St. Croix, the county of Chippewa, and part of the county of Crawford;"

No. 5, (A.) "A bill to provide for the custody of persons committed under the authority of the United States;"

No. 8, (A.) "A bill to change the name of Archibald Heffle-finger to Archibald Coe, and the names of his three minor children, George, John and Emeline Hefflefinger to Gorge, John and Emeline Coe;"

No. 9, (A.) "A bill to change the name of Nils Cornelius Gulbrandsen to Nils Cornelius Bronson:"

In which the concurrence of the Senate is requested.

The Assembly have also adopted the following joint resolution in which the concurrence of the Senate is requested, to wit:

Resolved, (the Senate concurring,) That the Attorney General be requested to give and furnish the President of the Senate for the purpose of being communicated to both branches of the legislature, his opinion in writing, as to the authority of the legislature passing an act at its present session, providing for the creation, organization and establishment of a separate Supreme Court, under the constitution of the State.

Mr. Kinney from the committee on claims Reported

No. 12 (S.) A bill to provide for paying Nathaniel F. Hyer for his services as commissiner to locate the University lands;

Which was read a first and second times.

Mr. Kinney moved to suspend the rules in relation to this bill, and that the printing be dispensed with;

Which was agreed to.

Mr. Botkin from the select committee on that subject, reported

No. 5, Memorial to Congress in relation to the establishment of a Marine Hospital on Rock Island;

Which was read a first and second time.

A message from his Excellency the Governor:

EXECUTIVE DEPARTMENT,
Madison, January 19, 1349.

To the Senate and Assembly:

The accounts of the commissioners appointed to locate for the State the 500,000 acres of land granted to it by Congress, are herewith submitted, duly authenticated as required by law and are as follows:

James Giddings' account for 95 days services at $3 per day		$285,00
Jerome Yates' account for 100 days services at $3 per day		300,00
Franics Henry's account for 84 days services at $3 per day		252,00
William Hood's account for 111 days services at $3 per day		333,00
Wm. J. S. Fisk's account for furnishing township plats for the use of commissioners in Green Bay land district		17,25
John Douglass' account for 3 days services surveying for and assisting John C. Gilman in locating lands at $2½ per day		7,50
John C. Gilman's account for 73 days services at $3 per day	219,00	
John C. Gilman's account for necessary expenses paid in locating lands and property chargable to the State.	10,75	
		229,75.

Mr. Gilman has charged in his account nineteen dollars for stage fare, which is not properly or legally chargable against the State and to pay which, would be in controvention of the 26th Sec. of article four of the constitution.

The account of Joseph Atherton, one of the commissioners appointed in the Wisconsin Land District, has not yet been presented.

The account of Phillip Aldrich, the commissioner appointed in the St. Croix District, cannot now be audited, as his reports to this department are not in such an authenticated form, as to show that he has rendered to the State any service.

As soon as these accounts are in a situation to be audited, they will be presented for your action.

I recommend that an appropriation be made for the account of the individuals as above stated.

NELSON DEWEY.

On motion of Mr. Dennis,

The message and accompanying documents were referred to the committee on claims.

On motion of Mr. Kinney,

The Senate resolved itself into a committee of the whole on No. 11 (S.) A bill regulating the management of public property;

Mr. Norton in the chair.

After spending some time therein, the committee rose and by their chairman reported the bill back to Senate with sundry amendments.

And the question being on concurring in the said amendments,

They were concurred in.

And the said bill No. 11 (S.) was ordered to be engrossed and read a third time.

The message of the Assembly was taken up,

And the following Resolution:

Resolved, (the Senate concurring,) That the Attorney General be requested to give and furnish the President of the Senate for the purpose of being communicated to both branches of the Legislature, his opinion in writing, as to the authority of the Legislature passing an act at its present session, providing for the creation, organization and establishment of a separate Supreme Court, under the Constitution of the State;

Was considered and concurred in.

No. 1 (A.) A bill to organize the Kilbourn road district,

Was read a first and second times, and

On motion of Mr. Kinney,

Said bill was referred to the committee on roads and bridges.

No. 4 (A.) A bill to establish a state road through part of the county of St. Croix, the county of Chippewa, and part of the county of Crawford.

Was read a first and second times.

No. 5, (A.) A Bill *to provide for the custody of persons committed under the authority of the United States*,

Was read a first and second times, and

On motion of Mr. Kinney,

Was referred to the committee on State Affairs.

No. 8, (A.) A Bill to change the name of Archibald Hefflefinger to Archibald Coe, and the names of his three minor children, George, John and Emeline Hefflefinger, to George, John and Emeline Coe.

Was read a first and second times.

No. 9, (A.) A bill to change the name of Nils Cornelius Gulbrandsen to Nils Cornelius Bronson;

Which was read a first and second times.

Mr. Kinney moved to suspend rules in relation to Bill

No. 12, Senate file, and that Senate now go into Committee of the whole on said Bill;

Which was agreed to; and

The Senate resolved itself into a committee of the whole on

No. 12, (S.) A bill to provide for paying Nathaniel F. Hyer for his services as commissioner to locate the University Lands;

Mr. Smith in the chair.

After some time spent therein the committee rose and by their chairman reported back the Bill to the Senate,

Without amendment; and

Said Bill, No. 12, (S.) was ordered to be engrossed and read a third time.

On motion of Mr. Cothren,

Senate adjourned until 3 o'clock this afternoon.

SAME DAY, 3 O'CLOCK, P. M.

Mr. Fisher from the committee on engrossed bills reported as correctly engrossed.

No. 11, (S.) A bill regulating the management of public property;

No. 12, (S.) A bill to provide for paying Nathaniel F. Hyer for his services as Commissioner to locate the University lands.

Mr. Dennis moved to suspend all rules in relation to the said Bills, No. 11 and 12, Senate file;

Which was agreed to.

No. 11, (S.) A bill regulating the management of public property,

Was read a third time and passed.

And the ayes and noes being called for,

Those who voted in the affirmative, were

Messrs. Boyd, Cothren, Dennis Fisher, Goodell, Kinney, Murphy, Norton, Smith, Sprague, Willard and Williams—12.

Those who voted in the negative, were

Messrs. Botkin, Merrell and Sholes—3.

The title of the bill was agreed to.

No. 12, (S.) A bill to provide for paying Nathaniel F. Hyer for his services as Commissioner to locate the University lands,

Was read a third time and passed.

And the ayes and noes being called for,

Those who voted in the affirmative, were

Messrs. Botkin, Cothren, Dennis, Fisher, Goodell, Kinney, Merrell, Murphy, Norton, Smith, Sprague, Willard and Williams—13.

Mr. Sholes voted in the negative.

The title of the bill was agreed to.

A message from the Assembly by their chief clerk:

Mr. President:—

I am directed to inform you that the Assembly have passed the following bills, to wit.

No. 3 (A.) A bill to organize a school district therein named, and

No. 10 (A.) A bill amendatory to an act to provide for the division of the several counties under the county system of government into towns;

In which the concurrence of the Senate is requested.

Mr. Kinney from the committee on claims, made the following

REPORT:

The committee to whom was referred bill No. 9 (S.,) a bill to appropriate to the county of Crawford the sums therein named, beg leave to report, that they have had the same under consideration, together with the evidences of the States' indebt, edness to said county, and so far as your committee are able to ascertain, said scrip and auditors warrants have not heretofore been allowed. Your committee would therefore report the bill to the Senate and recommend its passage.

Mr. Kinney from the same committee to whom was referred the account of George E. Graves for support of State prisoners, reported

No. 13, (S.) A bill to pay George E. Graves the several sums therein named;

Which was read a first and second times.

Mr. Kinney offered the following resolution:

Whereas, C. S. Chase, Esq., has been disappointed in procuring the use of the Assembly Hall for the purpose of lecturing this evening; therefore

Resolved, That the use of the Senate Chamber be and is hereby tendered to that gentleman for that purpose;

Which was adopted.

And the ayes and noes being called for,

Those who voted in the affirmative, were

Messrs. Botkin, Chase, Cothren, Goodell, Kinney, Merrell, Norton, Sholes and Sprague—9.

Those who voted in the negative, were

Messrs. Boyd, Dennis, Fisher, Murphy, Smith, Willard and Williams—7.

Mr. Cothren moved that Senate adjourn,

Which was not agreed to.

Mr. Norton moved to reconsider the vote by which the resolution granting the use of the Chamber to Mr. Chase,

Was adopted.

Mr. Cothren moved a call of the House;

And the roll being called, Messrs. Gardner, Horn and Lakin were reported absent.

On motion of Mr. Smith, Mr. Gardner was excused.

Mr. Botkin moved to suspend all further proceedings on the call of the House,

Which was agreed to.

Mr. Norton withdrew the motion to reconsider the vote just taken.

Mr. Cothren moved that Senate adjourn,

Which was agreed to.

And the ayes and noes being called for,

Those who voted in the affirmative, were

Messrs. Boyd, Chase, Cothren, Goodell, Kinney. Murphy, Norton, Sholes, Sprague and Willard—10.

Those who voted in the negative, were

Messrs. Botkin, Dennis, Fisher, Merrell, Smith and Williams —6.

So the Senate adjourned until 10 o'clock to-morrow morning.

WEDNESDAY, January 24th, 1849.

Prayer by the Rev. Mr. Read.

The Journal of yesterday was read and corrected.

Mr. Gardner presented the petition of Jacob Lybrand and others on the subject of a Homestead,

Which was referred to the committee on public lands.

Mr. Gardner presented the acct. of John A. Bingham, against the State,

Which was referred to the committee on claims.

Mr. Cothren presented the account of Moses M. Strong against the State,

Which was referred to the committee on Ligislative expenditures.

Mr. Cothren presented the petition of Beriah Brown in favor of said Limitation and Homestead Exemption,

Which was referred to the committee on public lands.

A message from the Assembly by their chif clerk.

Mr. President—

I am directed to inform you that the Assembly have passed No. 11 (S.,) A bill regulating the management of public property;

Without an amendment.

The governor has informed the Assembly that he did on yesterday approve, sign and deposit in the office of the Secretary of State, an act entitled

"An act to extend the time of collecting and returning taxes in the town of Waukesha."

The Assembly have also adopted the following joint resolution, to wit:

Resolved by the Assembly, (the Senate concurring,) That a joint commitee of two from the Senate and four from the Assembly, be appointed to confer with the building committee of the board of Supervisors of Dane county, now in session in Madison, as to the propriety of building a Court House and a suitable building for State offices within the public square,

In which the concurrence of the Senate is requested.

Mr. Merrell from the committee on contingent expenses to whom was referred the Governor's message and accompanying documents in relation to stationery, reported

That they have examined the same and recommend the passage of the accompanying bill for the payment of the contract entered into by his Excellency the Governor with Messrs. Hale and Chapman:

No. 17, (S.) A bill to pay Messrs. Hale and Chapman the sum therein mentioned;

Which was read a first and second times, and

On motion of Mr. Merrell,

The rules in regard to this bill were suspended and the printing dispensed with.

Mr. Botkin from the committee on State affairs to whom was referred

No. 5, (A.) "A bill to provide for the custody of persons committed under the authority of the United States;"

Reported the said bill back to the Senate and recommend its passage.

Mr. Goodell from the committee on contingent expenses, reported

No. 16, (S.) A bill for the payment of the mileage and stationery of the members of the legislature;

Which was read a first and second times, and

On motion of Mr. Chase,

Rules were suspended, and the printing of this bill was dispensed with.

Mr. Murphy from the committee on claims to whom was referred the communication of the Governor in relation to the accounts of the commissioners appointed to locate the State lands, reported the following:

No. 18, (S.) A bill to provide for the payment of the Commissioners appointed to locate the State lands;

Which was read a first and second times, and

On motion of Mr. Dennis,

Rules were suspended, and the printing of this bill was dispensed with.

Mr. Horn from the committee to whom was referred the revision of the rules of the Senate, Reported:

That they recommend the adoption of the present rules without alteration.

Hr. Horn offered the following resolution:

Resolved, That 200 copies of the rules be printed for the use of the present and the next session of the Legislature under the direction of the committee on rules, with such statistics as they may think fit.

And on motion of Mr. Kinney,

Said resolution was laid on the table.

Mr. Chase offered the following resolution:

Resolved, That so much of the Governor's message as relates to the subject of laws for the collection of debts be referred to a select committee of three;

Which was adopted; and

Messrs. Chase, Smith and Botkin, were appointed such committee.

Mr. Chase offered the following resolution:

Resolved, That the standing rules be amended as follows:

Amend the 30th rule, by striking out in the 13th, 14th and 15th lines, the words "which have been adopted in committee of the whole, but not acted on in the Senate;"

Which was adopted.

Mr. Horn called up Resolution, on the table,

Resolved, That 200 copies of the rules be printed for the use of the present and next session of the Legislature under the direction of the committee on rules, with such statistics as they may think fit.

And the same being under consideration,

Mr. Kinney moved to amend, by striking out the words "with such statistics as they may think fit."

Mr. Horn, by consent of Senate withdrew his resolution.

Mr. Boyd from the committee on Enrolled bills,

Reported as correctly enrolled,

"An act relating to interest."

Mr. Kinney from the committee on claims, to whom was referred the accounts of J. C. Fairchild against the State, reported

No. 14 (S.,) Bill to appropriate to J. C. Fairchild the sum therein named,

Which was read a first and second times, and

On motion of Mr. Kinney,

All rules were suspended with regard to this bill, and the printing dispensed with.

Mr. Murphy, on leave, introduced

No. 15 (S.,) A bill to change the name of John Meehan to John Smith;

Which was read a first and second times, and

On motion of Mr. Chase,

All rules were suspended in regard to this bill, and the printing dispensed with.

The following resolution of the Assembly was taken up:

Resolved, by the Assembly, (the Senate concurring,) That a joint committee of two from the Senate and four from the Assembly be appointed to confer with the building committee of the board of Supervisors of Dane county, now in session in Madison, as to the propriety of building a Court House and a suitable building for State Offices within the public square;

And the resolution was concurred in.

The following bills of the Assmbly were taken up:

No. 3 (A.) A bill to organize a school district therein named,

Which was read a first and second times, and

On motion of Mr. Chase,

Said bill was referred to the committee on Education and School Lands.

No. 10 (A.) A bill amendatory to an act to provide for the division of the several counties under the county system of government into towns;

Which was read a first and second times, and

On motion of Mr. Chase,

Said bill was referred to the committee on town and county organization.

A message from the Assembly by their chief clerk.

Mr. President—

I am directed to inform you that the Assembly have passed

No. 1 (A.) Memorial to Congress on the subject of a Mail Route from Falls St. Croix to La Point on Lake Superior.

No. 2 (A.) A Memorial to Congress on the subject of a Mail Route from Waukesha to Port Washington.

No. 3 (A.) Memorial to Congress for a Mail Route from Prairie La Cross to Prairie Du Sac.

No. 11 (A.) A bill to organinze the several towns therein named.

No. 12 (A.) A bill to vacate a part of the town plat of the village of Janesville in Rock county.

No. 13 (A.) A bill to amend an act entitled "An act to prescribe the mode of proceeding in Chancery," and

No. 15 (A.) A bill for the re-appraisal of a school section therein named;

In which the concurrence of the Senate is requested.

And the said message being taken up,

Memorials No. 1, 2, 3, and Bills No. 11, 12, 13, 15, Assembly files were severally read a first and second times.

On motion of Mr. Chase,

No. 11 (A.) A bill to organize the several towns therein named, Was referred to the committee on Town and County organization.

On motion of Mr. Chase,

No. 12, (A.) A bill to vacate part of the town plat of the village of Janesville, in Rock County,

Was referred to the committee on Incorporations.

On motion of Mr. Kinney,

No. 13, (A.) A bill to amend an act entitled an act to prescribe the mode of proceeding in Chancery,

Was referred to the committee on the Judiciary.

On motion of Mr. Sholes,

No. 15, (A.) A bill for the re-appraisal of a school section therein named,

Was taken up, and referred to a select committee of five.

On motion of Mr. Dennis,

All rules on this subject were dispensed with, and

The Senate resolved itself into a committee of the whole on the General file of Bills;

Mr. Dennis in the chair.

After spending some time therein, the committee rose and by their chairman reported

No. 6, (S.) A bill to repeal an act in relation to mills and mill-dams;

No. 9, (S.) A bill to appropriate to the county of Crawford the sum therein named;

No. 10, (S.) An act to provide for laying out a certain road in the counties of Fond du Lac and Winnebago;

No. 18, (S.) A bill to provide for the payment of the commissioners appointed to locate the State lands;

No. 14, (S.) A bill to appropriate to J. C. Fairchild the sum therein named;

No. 17, (S.) A bill to pay Messrs. Hale and Chapman the sum therein named;

No. 4, (A.) "A bill to establish a state road through part of the county of St. Croix, the county of Chippewa, and part of the county of Crawford;"

No. 5, (A.) "A bill to provide for the custody of persons committed under the authority of the United States;"

No. 8, (A.) A Bill to change the name of Archibald Hefflefinger to Archibald Coe, and the names of his three minor children, George, John and Emeline Hefflefinger, to George, John and Emeline Coe.

No. 9, (A.) "A bill to change the name of Nils Cornelius Gulbrandsen to Nils Cornelius Bronson:"

Without amendment; and

No. 4, S.) Memorial to Congress on the subject of a mail route from the city of Racine to Madison ;

No. 8. (S.) A bill prescribing the manner in which Individuals may change their names,

No. 15, (S.) A bill to change the name of John Meehan to John Smith,

With amendments;

And the committee ask leave to sit again—

Which was granted.

The question being on concurring in the amendments made in committee of the whole to the following,

No. 4, (S.) Memorial to Congress on the subject of a mail route from the city of Racine to Madison,

The amendment was concurred in, and

On motion of Mr. Willard,

No. 4, (S.) was laid on the table.

No. 8, (S.) A bill prescribing the manner in which individuals may change their names,

The amendment was concurred in.

No. 15, (S.) A bill to change the name of John Meehan to John Smith,

The amendment was non-concurred in.

Whereupon,

Memorial No. 4, and Bills No. 6, 8, 9, 10. 14, 15, 17 and 18 of the Senate files, were severally ordered to be engrossed and read a third time.

And Bills No. 5, 8 and 9, of the Assembly files, were severally ordered to a third reading,

On motion of Mr. Fisher,

Bill No. 4, (A.) was laid on the table.

On motion of Mr. Willard,

Two members were added to the select committee of Five on

No. 15, (A.) Bill for the re-appraisal of a school section therein named; and

Messrs. Sholes, Cothren, Boyd, Smith, Chase, Willard and Botkin, were appointed such committee.

Messrs. Lakin and Gardner were appointed a committee on the part of the Senate, on the joint resolution in relation to the building of a court house and State offices within the public square.

On motion of Mr. Sholes,

The Senate adjourned until 10 o'clock to-morrow morning.

THURSDAY, January 25, 1849.

Prayer by the Rev. Mr. Lord.

The Journal of yesterday was read and corrected.

Mr. Gardner on leave introduced the following:

No. 19 (S.) A bill to amend an act of the Revised Statutes, entitled "An act to provide for the punishment of offences against the lives and persons of Individuals,"

Which was read a first and second times.

Mr. Norton presented the petition of the board of Supervisors of Rock county, to vacate certain lands in the village of Janesville;

Which was referred to the committee on Incorporations.

Mr. Smith offered the following Resolution:

Resolved, That the committee on the Judiciary, be and hereby is instructed to enquire into, and report to the Senate whether any alteration in the present Homestead Exemption

Law is necessary to secure its benefits to the families of deceased persons,

Which was adopted.

Mr. Lakin from the committee on Education and School Lands, to whom was referred

No. 3, (A.) A bill to organize a school district therein named;

Reported said bill back to the Senate without amendment, and recommend its passage.

Mr. Chase from the committee on public lands made the following Report: [See Report.]

Which was accepted.

Mr. Horn from the minority of the committee on public lands made the following Report: [See Report.]

Which was accepted.

And the said reports were ordered to be printed.

Mr. Chase from the committee on public lands, to whom was referred the petition of Jacob Lybrand and others, made the following Report: [See printed Report.]

Which was accepted, and the committee discharged from further consideration of this subject.

Mr. Horn from the minority of the committee on public lands, made the following Report on the petition of Jacob Lybrand and others; [See printed Report.]

Which was accepted, and

On motion of Mr. Kinney,

Said reports were ordered to be printed.

Mr. Kinney from the committee on town and county organization, to whom was referred

No. 10, (A.) A bill amendatory to an act to provide for the division of the several counties under the county system of government into towns;

Reported the same back to the Senate with an amendment,

Amend section 3, third line by inserting the word "met" after the word "not."

Mr. Kinney from the committee on town and county organization, to whom was referred

No. 11, (A.,) A bill to organize the several towns therein named;

Reported the same back to the Senate without amendment, and recommend its passage.

Mr. Fisher from the committee on engrossed bills, reported as correctly engrossed,

No. 6, (S.,) A bill to repeal an act in relation to Mills and Mill Dams.

No. 8, (S.,) A bill prescribing the manner in which individuals may change their names.

No. 9, (S.,) A bill to appropriate to the county of Crawford the sum therein named.

No. 10, (S.,) An act to provide for the laying out a certain road in the counties of Fond du Lac and Winnebago.

No. 14, (S.) Bill to appropriate to J. C. Fairchild the sum therein named.

No. 15, (S.) A bill to change the name of John Meehan to John Smith.

No. 17, (S.) A bill to pay Messrs. Hale and Chapman the sum therein mentioned.

No. 18; (S.) A bill to provide for the payment of the Commissioners appointed to locate the State lands.

Mr. Boyd from the committee on enrolled bills reported as correctly enrolled,

No. 11, (S.) A bill regulating the management of public property.

Mr. Sholes from the committee to whom was referred

No. 15, (A.) A bill for the re-appraisal of a school section therein named,

Reported the bill back to the Senate with an amendment;

And the said bill was read a second time.

A message from the Governor:

EXECUTIVE DEPARTMENT,
Madison, January 24, 1849.

To the Senate—

In my communication of the 19th instant, transmitting accounts of Commissioners for locating the 500,000 acres granted to the State by Congress, the account of Martin M. Flint, one of the Commissioners appointed in the Green-Bay Land District, was omitted which is herewith enclosed for your action.

Mr. Flint's account for twelve days services, amounting to thirty-six dollars, is authenticated as required by law, and should be paid.

NELSON DEWEY.

On motion of Mr. Kinney,

The message was laid on the table.

On motion of Mr. Chase,

The Senate resolved itself into a committee of the whole on

No. 15, (A.) A bill for the re-appraisal of a school section therein named;

Mr. Lakin in the chair.

After some time spent therein the committee rose and by their chairman reported the Bill to the Senate, with sundry amendments.

And the question being on concurring in the amendments made in committee of the whole,

They were concurred in.

And said bill No. 15, (A.) was ordered to a third reading.

On motion of Mr. Boyd,

The rules were suspended in regard to said bill, and

No. 15 (A.) A bill for the re-appraisal of a school section therein named;

Was read a third time, passed and the title agreed to.

A message from the Assembly by their chief clerk.

Mr. President—

I am directed to inform you that the Assembly have concurred in the passage of

No. 3, (S.) A bill to appropriate to the county of Brown the sum therein named;

No. 7, (S.) A bill to provide the legislature with certain books;

No. 12, (S.) A bill to provide for paying Nathaniel F. Hyer for his services as Commissioner to locate the University lands,

Without amendments;

And have appointed Messrs. Brown, White, Kerr and Thorp as a joint committee on the part of the Assembly, under a joint resolution of the Senate and Assembly, to confer with the building committee of Dane county relative to erecting buildings within the public square.

I am Further directed to present for your Signature.

"An act Regulating the management of Public Property" which has been Signed by the Speaker of the Assembly.

The following Bills,

No. 5, (A.) "A bill to provide for the custody of persons committed under the authority of the United States;"

No. 8, (A.) A Bill to change the name of Archibald Hefflefinger to Archibald Coe, and the names of his three minor children, George, John and Emeline Hefflefinger, to George, John and Emeline Coe.

No. 9, (A.) "A bill to change the name of Nils Cornelius Gulbrandsen to Nils Cornelius Bronson:"

No. 10, (S.,) An act to provide for the laying out a certain road in the counties of Fond du Lac and Winnebago.

Were each severally read a third time, passed, and the titles of each severally agreed to.

No. 6, (S.,) A bill to repeal an act in relation to Mills and Mill Dams,

Was taken up, and

On motion of Mr. Cothren,

Said bill was referred to the committee on the Judiciary.

No. 9, (S.,) A bill to appropriate to the county of Crawford the sum therein named,

Was read a third time and passed.

And the ayes and noes being called for,

Those who voted in the affirmative, were

Messrs. Botkin, Chase, Cothren, Dennis Fisher, Gardner, Goodell, Horn, Kinney, Merrell, Murphy, Norton, Sholes, Smith, Sprague, Willard and Williams—17.

None in the negative.

The title of the bill was agreed to.

No. 14, (S.) Bill to appropriate to J. C. Fairchild the sum therein named,

Was read a third time and passed.

And the ayes and noes being called for,

Those who voted in the affirmative, were

Messrs. Botkin, Chase, Cothren, Dennis, Fisher, Gardner, Goodell, Horn, Kinney, Merrell, Murphy, Norton, Sholes, Smith, Sprague, Willard and Williams—17.

None in the negative.

The title of the bill was agreed to.

No. 17, (S.) A bill to pay Messrs. Hale and Chapman the sum therein mentioned,

Was read a third time and passed.

And the ayes and noes being called,

Those who voted in the affirmative, were

Messrs. Botkin, Chase, Cothren, Dennis, Fisher, Gardner, Goodell, Horn, Kinney, Merrell, Murphy, Norton, Sholes, Smith, Sprague, Willard and Williams—17.

None in the negative.

The title of the bill was agreed to.

No. 18, (S.) A bill to provide for the payment of the Commissioners appointed to locate the State lands,

Was taken up, and the Bill,

On motion of Mr. Dennis,

By unanimous consent, was amended by inserting as follows:

"To Martin M. Flint the sum of thirty-six dollars for twelve days service as commissioner to locate the State lands."

And said bill was read a third time and passed.

And the ayes and noes being called,

Those who voted in the affirmative, were

Messrs. Botkin, Boyd, Chase, Cothren, Dennis, Fisher, Gardner, Goodell, Horn, Kinney, Lakin, Merrell, Murphy, Norton, Sholes, Smith, Sprague, Willard and Williams—19.

The title of the bill was agreed to.

No. 8. (S.) A bill prescribing the manner in which Individuals may change their names,

Was taken up and read a third time;

And the question being on its passage—

It was not agreed to.

And the ayes and noes being called,

Those who voted in the affirmative, were

Messrs. Botkin, Chase, Fisher, Gardner, Goodell, Kinney, Merrell, Sholes and Smith—9.

Those who voted in the negative, were

Messrs. Boyd, Cothren, Dennis, Horn, Murphy, Norton, Sprague, Willard and Williams—9.

The President voted in the negative.

Mr. Boyd from the committee on Enrolled bills, reported

That they have this day presented to the Governor for his approval

"An act relating to interest;"

"An act regulating the management of public property."

On motion of Mr. Cothren,

The Senate adjourned until 10 o'clock to morrow morning.

Friday, January 26, 1849.

Prayer by the Rev. Mr. Read.

The Journal of yesterday was read and corrected.

Mr. Botkin presented the petition of inhabitants of Rutland and Oregon, in Dane county, praying for the laying out of a State road therein mentioned;

Which was referred to the committee on roads and bridges.

Mr. Chase moved a re-consideration of the vote by which

No. 8, (S.) A bill prescribing the manner in which individuals may change their names,

Was negatived;

Which was agreed to; and

On motion of Mr. Chase,

Said bill was laid on the table until to-morrow.

Mr. Chase from the committee on public lands, to whom was referred the petition of Beriah Brown, made the following

REPORT:

The committee on Public Lands to whom was referred the petition of Beriah Brown, have had the same under consideration, and respectfully submit the following report:

The committee fully agree with the petitioner in the statement of evils resulting from land monopoly, and will cordially support any measure to justly and equitably put a stop to the same. They also feel the great importance of the subject of limiting the amount of land any person may hereafter acquire, and cordially recommend the passage of a law to secure this object; but your committee are also aware that this measure is yet very little understood among the masses of the people who are most interested in its adoption. Your committee are also in favor of retaining the present Homestead Exemption law of the State, as it is, until its faults are ascertained by experience; or until a better one can be secured.

For the furtherance of the objects of the petition, your committee recommend the petitioner to join the Free Democratic party, whose principles embody the substance of the petition; and by co-operating with them to secure the adoption of the measures sought by his petition. Further action on the measures embraced in the petition, has been previously recommended and is now before the Senate in the form of joint resolutions on the subject of the public lands, which your committee recommend to the careful consideration of the Senate.

W. CHASE,
C. LATHAM SHOLES.

Which report was accepted, and the committee discharged from the further consideration of the subject.

The President laid before the Senate a letter from the Secretary of State:

Secretary's Office,
Madison, Jan. 24, 1849.

Hon. John E. Holmes,
Lieutenant Governor, &c.—

Sir: I herewith have the honor to transmit to the Legislature an abstract of the appraisal of the school and university lands in the several counties in this State as far as the same has been received at this office.

With great respect, your ob't serv't,

THOS. McHUGH,
Sec'y of State.

On motion of Mr. Kinney, said report was laid on the table and ordered printed.

No. 15, (S.) A bill to change the name of John Meehan to John Smith,

Was read a third time, passed and the title agreed to.

On motion of Mr. Kinney,

The rules were suspended, and the Senate resolved itself into a committee of the whole on the general file of bills;

Mr. Gardner in the chair.

After some time spent therein the committee rose and by their chairman reported

No. 13, (S.) A bill to pay George E. Graves the several sums therein named;

No. 5, (S.) Memorial to Congress in relation to the establishment of a Marine Hospital on Rock Island,

Without amendment.

And said bill No. 13, and Memorial No. 5, were severally ordered to be engrossed and read a third time.

Also,

No. 1, (A.) Memorial to Congress on the subject of a mail route from Falls of St. Croix to La Pointe on Lake Superior;

No. 2 (A.) A Memorial to Congress on the subject of a Mail Route from Waukesha to Port Washington.

No. 3 (A.) A bill to organize a school district therein named.

Without amendment;

And said Memorials No. 1 and 2, and bill No. 3 (A.) were severally ordered to a third reading. Also,

No. 11 (A.) A bill to organize the several towns therein named,

Without amendment.

Which bill was, on motion of Mr. Chase,

Recommitted to the committee on Town and County organization. Also,

No. 10 (A.) A bill amendatory to an act to provide for the division of the several counties under the county system of government into towns;

With an amendment,

Which was concurred in.

And said bill No. 10 (A) was ordered to a third reading.

Also,

No. 3 (A.) Memorial to Congress for a Mail Route from Prairie La Cross to Prairie Du Sac,

With amendments;

Which amendments were concurred in, and

Mr. Gardner moved further to amend the same by striking out the words "in the county of Sauk" in last line of first paragraph,

Which was agreed to.

And said Memorial No. 3, (A.) was ordered to a third reading.

A message from the Governor:

Executive Department,
Madison, January 25, 1849.

To the Senate—

I have this day signed, approved and deposited in the office of the Secretary of State, acts of the following titles:

"An act relating to Interest," and

"An act regulating the management of public property."

NELSON DEWEY.

On motion of Mr. Kinney,

No. 4 (A.) A bill to establish a state road through part of the county of St. Croix, the county of Chippewa, and part of the county of Crawford,

Was taken up and referred to the committee on State Affairs.

A message from the Assembly by their chief clerk:

Mr. President—

I am directed to inform you that the Assembly have concurred in the amendments of the Senate to,

No. 15, (A.) A bill for the re-appraisal of a school section therein named,

On motion of Mr. Dennis,

Senate adjourned until 10 o'clock to-morrow morning.

SATURDAY, January 27, 1849.

Prayer by the Rev. Mr. Lord.

The Journal of yesterday was read and corrected.

On motion of Mr. Kinney,

The Senate proceeded to elect a President pro tempore in the absence of the Lieutenant Governor,

And the roll being called,

Messrs. Botkin, Dennis, Fisher, Gardner, Goodell, Sholes, Smith, Sprague and Willard—9, voted for Mr. Boyd,

Messrs. Boyd, Cothren, Horn, Kinney, Lakin, Norton and Williams—7, voted for Mr. Dennis.

Mr. Chase voted for Mr. Sprague.

Mr. Murphy voted for Mr. Chase.

No choice being made, a second vote was taken,

And the roll being called,

Messrs. Botkin, Chase, Dennis, Gardner, Goodell, Lakin, Sholes and Willard—8, voted for Mr. Boyd.

Messrs. Boyd, Cothren, Horn, Kinney, Murphy, Norton, Smith, Sprague and Williams—9, voted for Mr. Dennis.

Mr. Fisher voted for Mr. Sprague.

Mr. Merrell voted for Mr. Botkin.

No choice being made, a third vote was taken.

And the roll being called,

Messrs. Boyd, Cothren, Fisher, Gardner, Horn, Kinney, Murphy, Smith, Sprague and Williams—10, voted for Mr. Dennis.

Messrs. Botkin, Chase, Dennis, Goodell, Lakin, Merrell, Norton, Sholes and Willard—9, voted for Mr. Boyd.

Mr. Dennis was conducted to the chair by Mr. Norton, and took his seat.

Mr. Sprague presented the Resolution passed by the Board of Supervisors of the county of Waukesha, in relation to the appraisal of the school lands in said county;

Which was referred to the committee on education and school lands.

Mr. Kinney offered the following Resolution:

Resolved, That the committee on State Affairs be instructed to bring in a bill to provide for the election of Superintendent of public property by the people, and to define his powers and duties;

Which was adopted.

Mr. Willard from the committee on Roads, to whom was referred

No. 1, (A.) "A bill to organize the Kilbourn road district;"

Reported the same back with amendment, and said bill

No. 1 (A.) was read a second time.

Mr. Horn from the minority of the committee on public lands, made the following

REPORT:

A minority of the committee on Public Lands to whom was referred the petition of Beriah Brown, respectfully submit the following Report:

The committee are fully aware of some of the existing evils stated in the petition, but whether or not greater evils would arise if the objects of the prayer of the petitioner were fully carried out remains to be seen.

At any rate, your committee are of the decided opinion that your petitioner has not quoted scripture sufficiently to convince the mind of your committee, that he is right in the progressive measures sought for. Your committee are well acquainted with the petitioner Beriah Brown, and as far as their knowledge of him extends, are inclined to believe, that he has arrived at the years of discretion; therefore your committee would not take the liberty of advising him which party he ought to join in order to carry out the measures stated in his petition.

According to the latest advices your committee has from Europe, there seems to be at present very little chance of any of the crowned heads or their nobles coming to this country to buy up all the land between here and the Pacific; but if they should come and have money left, they would rather invest their capital in any thing else except land, having so lately experienced a heavy failure in that article, and being more acquainted with the business of taking taxes than paying the same, your committee are confident that the petitioner has nothing to fear from that, nor any other quarter; the time of land speculation has passed; the amount of public lands bought by the speculators since 1839 in our State, and perhaps all over the Union, must be very limited, and your committee ventures to say, that since the time mentioned, there has been more land sold by speculators below the Government price than above it.

In view of these and other reasons, given in a former report, your committee recommend the passage of the accompanying Joint Resolutions.

In regard to the Homestead Exemption laws, your committee would recommend to have the same so amended as to be more equal in its operations or to repeal all laws for the collection of debts.

F. W. HORN.

Which was accepted, and,

On motion of Mr. Williams,

The committee was discharged from the further consideration of the subject.

Mr. Chase moved that the reports of the majority and minority of said committee, together with the petition of Beriah Brown, be printed;

Which was not agreed to.

Mr. Horn from the committee on public lands, introduced the following resolutions:

No. 6, (S.) Joint resolutions relative to land limitation,

Which was read a first and second times.

Mr. Botkin presented the account of H. A. Tenney against the State,

Which was referred to the committee on claims.

Mr. Willard from the committee on roads and bridges, reported

No. 20, (S.) A bill to establish a State road through a part of Iowa, Richland and Sauk counties;

Which was read a first and second times.

Mr. Fisher from the committee on engrossed bills, reported as correctly engrossed, No. 5, (S.) Memorial to Congress in relation to the establishment of a Marine Hospital on Rock Island;

No. 13, (S.) A bill to pay George E. Graves the several sums therein named;

Mr. Horn from the joint select committee to whom was referred

No. 1, (Joint resolution in relation to a vote on the county seat of Washington county, made the following

REPORT:

The joint select committee consisting of both branches of the legislature from the county of Washington, to whom was referred the communication of the Secretary of State relating to the vote cast at the county seat election in said county, beg leave to report as follows:

That the county seat of said county has been located by an act of the legislature approved January 25th, 1847, for the term of five years at the village of Port Washington, and that during the session of the last legislature an act was passed leaving the *permanent location* of said seat of justice to a vote of the people of said county. The act referred to was approved August 8th, 1848. Under the provisions of this act the people have had three several elections—the result of which will be found in the accompanying documents marked A. B. and C.

It will be perceived that at the second election which was confined between the three places having had at the first election the highest number of votes, Port Washington was thrown out, and that under the provisions of the act, the last and final vote was to be taken between Cedarburg and West Bend. Cedarburg then received a majority of 450 votes over West Bend. In accordance with this vote and the act referred to your committee have drawn up and beg leave to introduce the accompanying bill. (See bill)

It will be perceived that two or three towns in the north-east part of our county were undecided in their choice between the two places, and consequently cast blank votes.

The people of our county have thus early taken precautionary measures for the permanent location for fear that the same game might be played in *permanently* locating the county seat as that which obtained the temporary location at Port Washington when a law was at that time in existence, leaving the question to a vote of the people. Your committee will further say that their constituents are in favor of having good and substantial buildings erected, but that the taxes would fall rather heavily upon them if the whole amount for building purposes should be raised at once. For this reason and also that the contractors and laborers will be paid in cash instead of county orders; and by that means be enabled to do the work, as is supposed, nearly one third cheaper; the time for raising the taxes and finishing the buildings has been extended in the bill until the time when the temporary location of the county seat at Port Washington expires.

In conclusion your committee are constrained to say that they have noticed with pain and regret, since the opening of the session, the untiring and persevering efforts of a strong lobby from our county to thwart the wishes of the people again. Our constituents rely upon the law and justice in this matter; they have sent up as their lobby, and by our presenting and urging the passage of the bill, we are confident of meeting with the hearty approval of the people of the different districts we have the honor to represent in this legislature.

All of which is respectfully submitted.

F. W. HORN,
P. TOLAND,
PETER TURCK,
JAMES FAGAN.

And also reported

No. 21, (S.) A bill for the permanent location of the seat of Justice of the county of Washington and making provision for the erection of public buildings.

And on motion of Mr. Botkin,

The said bill No. 21, (S.) and the accompanying report and documents were recommitted to the same committee.

Mr. Kinney introduced the following Resolution:

Resolved, by the Senate, (the Assembly concurring,) that the committee on claims of the two houses be directed to act as a joint committee in the examination of claims,

Which was adopted.

Mr. Boyd from the committee on enrolled bills reported as correctly enrolled,

No. 3 (S.) A bill to appropriate to the county of Brown the sum therein named.

No. 7, (S.) A bill to provide the legislature with certain books.

No. 12, (S.) A bill to provide for paying Nathaniel F. Hyer for his services as Commissioner to locate the University lands.

No. 5, (A.) "A bill to provide for the custody of persons committed under the authority of the United States."

No. 8, (A.) A Bill to change the name of Archibald Hefflefinger to Archibald Coe, and the names of his three minor children, George, John and Emeline Hefflefinger, to George, John and Emeline Coe.

No. 9, (A.) "A bill to change the name of Nils Cornelius Gulbrandsen to Nils Cornelius Bronson:"

No. 15, (A.) A bill for the re-appraisal of a school section herein named.

Mr. Cothren presented the account of Moses Meeker against the State for sundry scrip, Territorial and of the Convention;

Which was referred to the committee on claims.

The following bills were severally read a third time, passed, and their titles severally agreed to.

No. 1 (A.) Memorial to Congress on the subject of a Mail Route from Falls St. Croix to La Point on Lake Superior.

No. 3 (A.) A bill to organize a school district therein named.

No. 10 (A.) A bill amendatory to an act to provide for the division of the several counties under the county system of government into towns.

No. 5 (S.) A Memorial to Congress in relation to the establishment of a Marine Hospital on Rock Island.

No. 13 (S.) A bill to pay George E. Graves the several sums therein named.

And the ayes and noes being called on the said bill No. 13 (S.)

Those who voted in the affirmative, were

Messrs. Botkin, Boyd, Cothren, Dennis, Fisher, Gardner, Goodell, Kinney, Merrell, Murphy, Smith, Sprague and Williams—13.

Those who voted in the negative, were

Messrs. Chase, Horn, Sholes and Willard—4. And

No. 3 (A.) A Memorial to Congress for a Mail Route from Prairie La Cross to Prairie Du Sac,

Was read a third time and passed, and

On motion of Mr. Merrell,

The title was amended so as to correspond with the memorial,

And the title as so amended was agreed to. And

No. 2 (A.) A Memorial to Congress on the subject of a Mail Route from Waukesha to Port Washington.

Was read a third time,

And the question being on its passage,

It was decided in the negative.

A message from the Assembly by their chief clerk:

Mr. President—

I am directed to present for your signature,

"An act to change the name of Archibald Hefflefinger to Archibald Coe, and the names of his three minor children, George, John and Emeline Hefflefinger to George, John and Emeline Coe;"

"An act to change the name of Nils Cornelius Gulbrandsen, to Nils Cornelius Bronson;"

"An act to provide for the custody of persons committed under the authority of the United States;"

"An act for the re-appraisal of a school section therein named;"

"An act for paying Nathaniel F. Hyer for his services as commissioner to locate the University Lands;"

"An act to appropriate to the county of Brown the sum therein named;"

"An act to provide the Legislature with certain books;"

Which have been signed by the Speaker of the Assembly.

I am further directed to inform you that the Assembly have passed

No. 26 (A.) A bill to entend the time for collecting and returning taxes in the town of Taycheeda;

In which the concurrence of the Senate is requested.

Mr. Smith on leave, introduced

No 22 (S.) A bill to provide for the protection of Shade Trees, Hedges and Fences in certain cases,

Which was read a first and second times, and

On motion of Mr. Smith,

Said bill No. 22 (S.) was referred to the committee on agriculture and manufactures.

Mr. Horn moved that Senate adjourn,

Which was not agreed to,

On motion of Mr. Kinney,

Senate resolved itself into a committee of the whole on

No. 1 (A.) A bill to organize the Kilbourn Road district;

Mr. Gardner in the chair.

After some time spent therein, the committee rose and by their chairman reported the bill to the Senate with sundry amendments.

And the question being on concurring in the amendments made in committee of the whole,

They were concrred in.

Mr. Norton moved to further amend the bill, by striking out the word "Pathmaster" where it occurs, and insert "Overseers of Highways,"

Which was agreed to.

Mr. Kinney moved to suspend rules on this bill No. 1 (A.) and that it be now read a third time,

Which was agreed to.

And said bill

No. 1 (A.) A bill to organize the Kilbourn road district

Was read a third time, passed and the title agreed to.

Mr. Boyd from the committee on enrolled bills made the following report:

The committttee on enrolled bills beg leave to report that they have this day presented to his Excellency the Governor for his approval,

"An act to provide for the custody of persons committed under the authority of the United States;"

"An act to change the name of Nils Cornelius Gulbrandsen to Nils Cornelius Bronson;"

"An act to change the name of Archibald Hefflefinger to Archibald Coe, and the names of his three minor children George, John and Emeline Hefflefinger to George, John and Emeline Coe;"

"An act for the re-appraisal of a school section therein named;"

"An act to provide for paying to Nathaniel F. Hyer for his services as commissiner to locate the University Lands;"

"An act to appropriate to the county of Brown the sum therein named;"

"An act to provide the legislature with certain books."

The message of the Assembly was taken up, and

No. 26, (A.) A bill to extend the time for collecting and returning taxes in the town of Taycheda,

Was read a first and second times; and

On motion of Mr. Chase,

Referred to the committee on State Affairs.

On motion of Mr. Horn,

Senate adjourned until 3 o'clock this afternoon.

And the ayes and noes being called for,

Those who voted in the affirmative, were

Messrs. Dennis, Fisher, Horn, Murphy, Smith, Sprague, Willard and Williams—8.

Those who voted in the negative, were

Messrs. Boyd, Chase, Gardner, Goodell, Kinney, Merrell and Norton—7.

SAME DAY, 3 O'CLOCK, P. M.

Mr. Horn from the joint select committee to whom was recommitted

No. 1, (S.) Joint resolution in relation to a vote on the county seat of Washington county,

Together with the accompanying documents, reported as follows:

The joint select committee to whom the communication [illegible] the Secretary of State in relation to the vote on the seat [illegible]tice of Washington county was recommitted, beg leave to say that all the members of the committee were in session, and submit the same report as heretofore offered.

And,

No. 21, (S.) A bill for the permanent location of the seat of j[illegible] of the county of Washington, and making provision for the erection of public buildings,

Was read a first and second times.

Mr. Botkin moved that the report, bill and accompanying documents be laid on the table until Thursday next;

Which was agreed to.

Mr. Botkin from the committee on State affairs reported back No. 4, (A.) "A bill to establish a state road through part of the county of St. Croix, the county of Chippewa, and part of the county of Crawford,

With amendments.

And said bill, No. 4, (A.,) was read a second time.

A message from the Governor:

EXECUTIVE DEPARTMENT,
Madison, January 27, 1849.

To the Senate—

I have this day approved, signed and deposited in the office of the Secretary of State, Acts of the following titles:

"An act to appropriate to the county of Brown the sum therein named;"

"An act to provide for paying Nathaniel F. Hyer for his services as commissioner to locate the University lands;"

And,

"An act to provide the legislature with certain Books."

NELSON DEWEY.

On motion of Mr. Kinney,

Senate adjourned until 10 o'clock on Monday morning.

MONDAY, January 29, 1849.

Prayer by the Rev. Mr. Penman.

The Journal of Saturday was read and corrected.

Mr. Botkin presented the account of Smith and Tredway against the State,

Which was referred to the committee on claims.

Mr. Kinney offered the following Resolution:

Resolved by the Senate, (the Assembly concuring,) that there be appointed a joint select committee, consisting of three from the Senate and six from the Assembly, to enquire into and ascertain what business it is necessary to act upon at the present session of the Legislature, and to report the best feasible plan of bringing such business before the two houses of the Legislature,

Which was read a first and second times, and adopted.

Mr. Kinney offered the following Resolution:

Resolved by the Senate (the Assembly concuring) that there be appointed a joint select committee consisting of two from the Senate, four from the Assembly to enquire into and examine the accounts and affairs of the late Superintendent of public property, so far as they may relate to his acts as a public officer, and to report their doings to the two houses of the Legislature at its present session.

Said committee shall have power to send for persons and papers and to administer oaths to persons called before them,

Which was read a first and second times and adopted.

Mr. Gardner presented the account of J. C. Fairchild against the State,

Which was referred to the committee on claims.

Mr. Chase offered the following Resolution:

Resolved, That there be printed one thousand additional copies of the Report of the board of public works;

Which was adopted.

Mr. Horn introduced the following joint Resolutions:

No. 7 (S.) Joint Resolutions relative to a proposed amendment to the constitution of the United States concerning the election of Senators in Congress,

Which was read a first and second times.

Mr. Fisher gave notice that he would on to-morrow or some future day ask leave to bring in a bill to regulate the lien of mechanics on personal property.

Mr. Horn on leave introduced

No. 23. (S.) A bill to appropriate money for the payment of members and officers of the legislature,

Which was read a first and second times; and

On motion of Mr. Kinney,

The printing of this bill was dispensed with.

Mr. Horn on leave introduced

No. 24, (S.) A bill to provide for the laying out of a certain State road therein named;

Which was read a first and second times.

A communication from the Secretary of State:

SECRETARY'S OFFICE,
MADISON, Jan. 29, 1849.

Hon. John E. Holmes,
Lieutenant Governor, &c.—

Sir: I observe on examination of the printed copy of my annual report, that several items of the expenditures for the fiscal year were omitted, which I have the honor herewith to transmit with a request that they be appended to my report:

Secretary's salary up to and including Dec. 31, 1848,	$681	37
Contingent expenses of Executive office to same date,	350	00
Appropriation to Iowa county,	85	75
Appropriation to Richard Hardell,	20	00
" " Wm. Marshall,	110	50
Mileage of members of last session,	1402	00
Balance salary of Supt. up to Sept. 30, 1848,	33	33
Warrant No. 138 to Governor for transporting arms	20	00
	2792	95

The total amount of warrants issued from this office is erroneously stated as $32,097 32.

It should be $30,748 32.

All of which is respectfully submitted.

THOS. McHUGH,
Sec'y of State.

No. 8, (S.) A bill prescribing the manner in which individuals may change their names,

Was read a third time,

And the question being on its passage,

Mr. Boyd moved a call of the House.

And the roll being called, Mr. Cothren was reported absent.

Mr. Cothren appeared in his seat.

And the question recurring on the passage of said bill

No. 8 (S.) A bill prescribing the manner in which Individuals may change their names;

Was passed,

And the ayes and noes being called for,

Those who voted in the affirmative, were

Messrs. Botkin, Chase, Fisher, Gardner, Goodell, Kinney, Lakin, Merrell, Sholes and Smith—10.

Those who voted in the negative, were

Messrs. Boyd, Cothren, Dennis, Horn, Murphy, Norton, Sprague, Willard and Williams—9.

The title of the bill was agreed to.

Mr. Cothren asked leave of absence for the remainder of this day,

Which was granted.

A message from the Assembly by their chief clerk.

Mr. President—

I am directed to inform you that the Assembly have concurred in the amendments of the Senate to

No. 3,(A.) Memorial to Congress for a Mail route from Prairie la Cross to Prairie du Sac.

No. 10 (A.) A bill amendatory to an act to provide for the division of the several counties under the county system of government into towns.

The Assembly have also concurred in the adoption of the following Joint Resolution, to wit:

Resolved, by the Senate, (the Assembly concurring,) That the committee on claims of the two Houses be directed to act as a joint committee in the examination of claims.

Mr. Kinney moved to suspend rules on this subject, and that Senate go into committee of the whole on the general file of bills,

Which was agreed to;

And Senate resolved itself into a committee of the whole on the general file of bills;

Mr. Williams in the chair.

After some time spent therein, the committee rose and by their chairman reported to the Senate,

No. 19 (S.) A bill to amend an act of the Revised Statutes, entitled "An act to provide for the punishment of offences against the lives and persons of Individuals,"

Without amendment.

No. 16 (S.) A bill for the payment of the mileage and Stationery of the members of the Legislature, and

No. 4 (A.) A bill to establish a state road through part of the county of St. Croix, the county of Chippewa, and part of the county of Crawford,

With amendments;

Also, reported progress on the general file of Bills, and asked leave to sit again,

Which was granted.

On motion of Mr. Gardner,

No. 19 (S.) A bill to amend an act of the revised statutes, entitled "An act to provide for the punishment of offences against the lives and persons of individuals,

Was referred to the committee on the Judiciary.

The amendments to

No. 4 (A.) A bill to establish a State road through part of the county of St. Croix, the county of Chippewa and part of the county of Crawford,

Were concurred in,

And the bill No. 4 (A.) was ordered to be read a third time.

On motion of Mr. Fisher,

The rules were suspended in relation to this bill No. 4 (A.) and said bill was read a third time and passed, and

On motion of Mr. Horn

To amend the title by striking out the same, after the words "a bill" and insert the following:

"To provide for laying out certain Roads therein named."

It was agreed to,

And the title as amended was agreed to.

The amendments to

No. 16 (S.) A bill for the mileage and stationery of the members of the Legislature,

Were taken up, and

On motion of Mr. Botkin,

Said bill No. 16 (S.) was referred to the committee on Legislative expenditures.

On motion of Mr. Chase,

No. 26 (A.) A bill to entend the time for collecting and returning taxes in the town of Taycheeda;

Was taken from the general file and referred to the committee on State Affairs.

Mr. Goodell moved to adjourn until half past two o'clock this afternoon.

Mr. Boyd moved to adjourn until 3 o'clock.

Mr. Nortion moved that Senate adjourn,

Which was agreed to.

And the ayes and noes being called,

Those who voted in the affirmative, were

Messrs. Botkin, Boyd, Dennis, Horn, Lakin, Merrell, Murphy, Norton, Sprague, Willard and Williams—11.

Those who voted in the negative, were

Messrs. Chase, Fisher, Gardner, Goodell, Kinney Sholes and Smith—7.

So the Senate adjourned until 10 o'clock to-morrow morning.

TUESDAY, January 30, 1849.

Prayer by the Rev. Mr. Lord.

On motion of Mr. Botkin,

The reading of the Journal of yesterday was dispensed with.

Mr. Gardner presented the petition of Jacob Ly Brand and others praying for a law requiring persons to obtain license to sell merchandize at auction;

Which was referred to the committee on Finance.

Mr. Williams presented the petition of the inhabitants of school district No. 7, in the town of Hustisford for authority to levy a tax to build a school house, and an accompanying bill;

Which were referred to the committee on education and school lands.

Mr. Botkin presented the account of R. Smith against the State;

Which was referred to the committee on claims.

Mr. Smith offered the following resolution:

Resolved, That the use of the Senate chamber for this evening be granted for the purpose of organizing a State Historical Society;

Which was adopted.

Mr. Norton presented the petition of Thomas T. Whittlesey and Jonathan Lawrence on part of the Board of Supervisors of Dane county in relation to refunding Dane county certain costs therein named;

Which was referred to the committee on State affairs.

Mr. Lakin offered the following resolution:

Resolved, That the Superintendent of public property be instructed to cause the wood and all decaying vegetable substance in the basement of the capitol, to be removed therefrom and to cause the said basement to be cleaned as soon as practicable;

Which was adopted.

Mr. Smith, on leave, introduced

No. 25, (S.) A bill to amend an act entitled "an act to incorporate the city of Milwaukee;"

Which was read a first and second times.

Mr. Cothren from the committee on the Judiciary to whom the subject had been referred, made the following report:

The committee on the Judiciary, in reply to the resolution requiring them to give an opinion as to whether or not the present Homestead Exemption law secures to the families of deceased persons the benefits of a homestead exemption, respectfully

REPORT:

That after careful examination of the subject, they have formed the following opinion:

The peculiar wording of the law, taken as a whole, does not leave the question entirely free from doubt—but the language of the 1st section, that forty acres, &c., "shall not be subject to forced sale on execution or any other final process from a court for any debt or liability contracted after, &c," seems to the committee sufficiently broad to cover every conceivable case, upon a fair and sound construction, that can arise under the law, in which the widows and families of deceased persons may be interested.

The free-hold title to real estate can never be in obeyance while there is a legal claimant, and while there is an owner and occupation as a homestead, such forty acres are exempted from forced sale on process from a Court, and this benefit is secured by the present law to the owner, whether widow, heirs or family.

There is nothing in the law which prevents the sale of any land for taxes.

M. M. COTHREN,
Chairman of Committee.

Mr. Willard gave notice that he would on to-morrow or on some future day, ask leave to introduce a bill to organize town four in range nenetcen, into a separate Township.

Mr. Sholes, on leave, introduced

No. 26 (S.) A bill relating to Justices of the Peace and their jurisdiction;

Which was read a first and second times.

Mr. Fisher on leave, introduced

No. 27 (S.) A bill to regulate the lien of Mechanics on personal property,

Which was read a first and second times.

Mr. Gardner from the committee on the expiration and re-enactment of laws, reported

No. 28 (S.) A bill to amend an act entitled an act to exempt from forced sale on final process therein named approved August 10, 1848;

Which was read a first and second times.

Mr. Norton from the committee on Legislative expenditures to whom was referred

No. 16 (S.) a bill for the payment of the mileage and stationery of the members of the Legislature,

Reported the same back, with the following new bill as a substitute:

No. 29 (S.) a bill to appropriate money for the payment of members and officers of the Legislature,

Which was read a first and second times.

Mr. Kinney from the committee on town and county organization to whom the subject had been referred,

Reported back without amendment,

No. 11, (A.) A bill to organinze the several towns therein named.

On motion of Mr. Kinney,

Said bill No. 11, (A.) was ordered to a third reading.

Mr. Kinney moved to suspend all rules in relation to said bill No. 11, (A.) and that it be read a third time now,

Which was agreed to; and

No. 11, (A.) A bill to organize the several towns therein named,

Was read a third time, passed, and the title agreed to.

Mr. Cothren asked leave of absence for the remainder of this day; Leave was granted.

Mr. Kinney moved that all rules be suspended in relation to bill No. 29, (S.) and that said bill be now taken up;

Which was agreed to; and

On motion of Mr. Kinney,

Senate resolved itself into a committee of the whole on

No. 29, (S.) A bill to appropriate money for the payment of members and officers of the legislature;

Mr. Goodell in the chair.

After some time spent therein, the commitee rose and by their chairman reported back said bill No. 29, (S.) without amendment; and

On motion of Mr. Horn,

The rules were suspended in relation to the said bill, and

No. 29 (S.) A bill to appropriate money for the payment of members and officers of the Legislature,

Was read a third time and passed.

And the ayes and noes being called,

Those who voted in the affirmative, were

Messrs. Botkin, Chase, Dennis, Fisher, Gardner, Goodell, Horn, Kinney, Lakin, Merrell, Murphy, Norton, Sholes, Smith, Sprague ,Willard and Williams—17.

None in the negative.

The title of the bill was then agreed to.

On motion of Mr. Gardner,

All rules were suspended, and

Senate resolved itself into a committee of the whole on the general file of bills;

Mr. Norton in the chair.

After some time spent therein, the committee rose and by their chairman reported

No. 5 (S.) A bill concerning the rights of married women;

And,

No. 6 (S.) Joint Resolutions in relation to Land Limitation;

With amendments, and

No. 3 (S.) Joint Resolutions in relation to public lands,

Without amendment.

On motion of Mr. Smith,

No. 5 (S.) A bill concerning the rights of married women;

Was recommitted to the committee of the whole.

On motion of Mr. Norton,

No. 6 (S.) Joint Resolutions relative to land limitation;

Was laid on the table.

On motion of Mr. Williams,

No. 3 (S.) Joint Resolutions in relation to public lands;

Was laid on the table, and

Mr. Williams introduced as a substitute for No. 3 (S.)

No. 8 (S.) Joint Resolution in relation to public lands,

Which was laid on the table and ordered printed.

Mr. Horn moved that Senate adjourned until 3 o'clock this afternoon,

Which was agreed to,

And the ayes and noes being called for,

Those who voted in the affirmative, were

Messrs. Boyd, Chase, Dennis, Fisher, Gardner, Goodell, Horn, Lakin, Kinney, Merrell, Murphy, Smith, Sprague, Willard and Williams—15.

Mr. Botkin, voted in the negative.

And the Senate adjourned until 3 o'clock this afternoon.

SAME DAY, 3 O'CLOCK, P. M.

Mr. Horn on leave, introduced

No. 9 (S.) A Memorial to Congress on the subject of a Mail Route from Waukesha to Cedarburg;

Which was read a first and second times.

Mr. Gardner on leave introduced the following resolution:

Resolved, That the committee on claims be instructed to enquire into the expediency of providing for the payment of the salary of the adjutant general, and that they report by bill or otherwise;

Which was adopted.

A message from the Assembly by their chief clerk.

Mr. President—

I am directed to inform you that the Assembly have passed the following joint resolutions relative to slavery and the slave trade:

No. 1, Resolutions relative to slavery and the slave trade;

No. 2, Resolutions relative to slavery and the slave trade;

In which the concurrence of the Senate is requested.

The Assembly have also concurred in the adoption of the following Joint Resolutions, to wit:

Resolved, by the Senate, (the Assembly concurring,) That there be appointed a joint select committee consisting of three from the Senate and six from the Assembly, to enquire into and ascertain what business it is necessary to act upon at the present session of the Legislature, and to report the best feasible plan of bringing such business before the two houses of the legislature;

Also,

Resolved, By the Senate, (the Assembly concurring,) That there be appointed a joint select committee, consisting of two from the Senate, four from the Assembly, to enquire into and examine the accounts and affairs of the late superintendent of public property, so far as they may relate to his acts as a public officer, and to report their doings to the two houses of the legislature at its present session. Said committee shall have power to send for persons and papers and to administer oaths to persons called before them;

And have appointed Messrs. Cross, Burns, Strong, Crandall, Thomas and Hastings as the committee under the first,

And Messrs. White, Clark, Toland and Pratt as the committee under the second of said resolutions.

Also,

The Assembly have concurred in the amendments of the Senate to

No. 1 (A.) A bill to organize the Kilbourn road district,

No. 4, (A.) "A bill to establish a state road through part of the county of St. Croix, the county of Chippewa, and part of the county of Crawford,

And have passed

No. 29, (S.) A bill to appropriate money for the payment of members and officers of the legislature.

I am also directed to present for your signature,

"A Memorial to Congress on the subject of a mail route from Falls of St. Croix to La Pointe on Lake Superior;

"An act to organize a school district therein named;"

Which have been signed by the Speaker of the Assembly.

On motion of Mr. Kinney,

The message from the Assembly was taken up.

No. 1, Resolutions relative to slavery and the slave trade;

No. 2, Resolutions relative to slavery and the slave trade,

Were severally read a first and second times.

Mr. Boyd moved that the said resolutions be referred to a select committee of five;

Which was agreed to.

And the ayes and noes being called for,

Those who voted in the affirmative, were

Messrs. Boyd, Chase, Fisher, Gardner, Goodell, Kinney, Lakin, Merrell, Norton, Sprague and Williams—11.

Those who voted in the negative, were

Messrs. Botkin, Dennis, Horn, Murphy and Smith—5.

Mr. Chase moved that the rules be suspended in relation to No. 2, (S.) Joint resolutions relating to slavery,

And that said bill be taken from the general file and referred to the said select committee of five;

Which was agreed to;

And the said No. 2, S., was so referred.

Mr. Horn, on leave, offered the following resolution:

Resolved, That the said select committee of five be instructed to bring in the resolutions as passed by the Assembly.

And the question being on adopting the resolution,

Mr. Boyd moved a call of the house;

And the roll being called,

Messrs. Sholes and Willard were reported as absent.

Mr. Chase asked leave of absence for Mr. Sholes;

Which was granted.

On motion of Mr. Smith,

Further proceedings in the call were dispensed with.

And the question recurring on the adoption of the resolution,

It was not agreed to.

And the ayes and noes being called for,

Those who voted in the affirmative, were

Messrs. Botkin, Fisher, Horn, Murphy and Smith—5.

Those who voted in the negative, were

Messrs. Boyd, Chase, Dennis, Gardner, Goodell, Kinney, Lakin, Merrell, Norton, Sprague and Williams—11.

The President announced the appointment of the following committees:

Select committee on joint resolutions on slavery,

Messrs. Boyd, Botkin, Chase, Cothren, Gardner.

Joint committee on legislative business,

Messrs. Kinney, Norton and Cothren.

Joint committee on accounts of Superintendent of public property,

Messrs. Smith and Willard.

Mr. Boyd from the committee on enrolled bills, reported as correctly enrolled,

No. 3 (A.) A bill to organize a school district therein named,

No. 1, (A.) Memorial to Congress on the subject of a mail route from Falls of St. Croix to La Pointe on Lake Superior.

On motion of Mr. Williams,

Senate adjourned until 10 o'clock to-morrow morning.

Wednesday, January 31st, 1849.

Prayer by the Rev. Mr. Penman.

On motion of Mr. Horn,

The reading of the Journal of yesterday was dispensed with.

Mr. Gardner presented the petition of citizens of Green and Rock counties for the alteration of a State road from Exeter to Beloit;

Which was referred to the committee on roads and bridges.

Mr. Horn presented the petitions of the Supervisors and other inhabitants of the town of Belgium in Washington county, concerning the teaching of the German language in their district schools;

Which was referred to the committee on education and school lands.

Also the petition of Henry Allen, Bostwick O'Connor and others, inhabitants of Port Washington, in relation to a petition from the Supervisors and other inhabitants of the town of Belgium concerning the teaching of the German language in their district schools;

Which was referred to the committee on education and school lands.

Mr. Botkin presented the petition of citizens of towns No. 8 and 9, of range No. 9, in Dane county, praying to be organized into a separate town by the name of Vienna;

Which was referred to the committee on town and county organization.

Mr. Botkin presented the Memorial of Alfred Bronson, guardian of the heirs of Thomas P. Burnett, on the subject of the publication of the reports of the Supreme Court decisions;

Which was referred to the committee on the Judiciary.

Mr. Botkin presented the following accounts of

G. M. Oakley against the Territory,
Peter W. Matts " " "
Darwin Clark " " "
Seymour & Varney " " "
H. H. Farnsworth " " "
H. C. Parker " " "

Which were severally referred to the committee on claims.

Mr. Norton offered the following resolution:

Resolved, That the select committee to whom were referred, on yesterday, the resolutions relating to slavery, be requested to report upon the same on or before the first day of February next;

Which was adopted.

And the ayes and noes being called for,

Those who voted in the affirmative, were

Messrs. Botkin, Cothren, Fisher, Horn, Lakin, Merrell, Murphy, Norton, Smith, Sprague and Williams—11.

Those who voted in the negative, were

Messrs. Chase, Dennis, Gardner, Goodell, Kinney and Willard—6.

Mr. Boyd was excused from voting on this question.

Mr. Smith offered the following resolution:

Resolved, That the committee on the Judiciary be discharged from the further consideration of the report of the late superintendent of of Territorial property, dated the 22d inst., and that the same be referred to the committee having the accounts and affairs of that officer in charge;

Which was adopted.

Mr. Chase gave notice that he will on to-morrow or some subsequent day, ask leave to bring in a bill to amend an act entitled "an act to provide for the improvement of the Fox and Wisconsin rivers and connecting the same by a canal, approved August 8th, 1848."

Mr. Fisher gave notice that he will on to-morrow or some future day ask leave to introduce a Bill to authorize H. S. Allen, Stover Rines, Moses Rines and their associates to construct and maintain a Boom in Chippewa River in the county of Chippewa.

Mr. Lakin, from the committee on Education and School Lands, to whom that subject had been referred, reported

No. 30, (S.) A bill to authorize School District number seven in the town of Hustisford, Dodge county, to levy a tax to build a School House;

Which was read a first and second times.

Mr. Kinney from the committee on State affairs to whom had been referred bill

No. 26 (A.) A bill to extend the time for collecting and returning taxes in the town of Taycheeda;

Reported the same back without amendment.

Mr. Williams from the joint select committee on the report of the Revisers, reported

No. 32, (S.) A bill relating to common schools;

Which was read a first and second times, and the printing of said bill was dispensed with.

The following communications were received from the Secretary of State:

SECRETARY'S OFFICE,
MADISON, Jan. 31, 1849.

Hon. John E. Holmes,
Lieutenant Governor, &c.—

Sir: I have, within the past week, received several communications from appraisers and school commissioners informing me, that since the appraisal of the 16th sections, persons are stripping the lands of the most valuable of the timber; and many of the sections thus stripped will not, upon a sale, bring enough to pay the cost of appraisal and subdivision.

I respectfully call the attention of the Legislature to the subject in order that some law may be passed authorizing the Attorney General to prosecute these trespassers.

With great respect,
Your ob't serv't,
THOS. McHUGH,
Sec'y of State.

And on motion of Mr. Horn,

The said communication was referred to the committee on university and school lands.

SECRETARY'S OFFICE,
MADISON, Jan'y 21st 1849.

Hon. Jno. E. Holmes,
Lieutenant Governor, &c.—

Sir: Herewith I have the honor to transmit to the Legislature a letter received at this Office from the Treasurer of St. Croix county relative to the arrearage for Territorial Revenue due from that county, and request legislative action upon the subject in order that the amount may be credited to the county, or the Treasurer be compelled to pay the amount.

Respectfully, your ob't ser'vt,
THOS. McHUGH,
Sec'y of State.

And on motion of Mr. Fisher,

The said communication was referred to the committee on the Judiciary.

Mr. Norton offered the following resolution:

Resolved, That the Sergeant-at-Arms be authorized to provide a screen, similar to that in the Assembly chamber, to be placed in front of the box stove in this room;

Which was adopted.

The following communication was received:

To the President of the Senate:—

The commissioners appointed to revise the laws, have the honor to transmit a report of several revised chapters, which you will please lay before the Legislature at your earliest convenience.

Respectfully, your obedient serv'ts,

M. FRANK,
C. M. BAKER,
C. S. JORDAN.

Madison, Jan'y 31st, 1849.

And, on motion of Mr. Kinney,

Said communication and the accompanying bills were referred to the joint select committee on reports of Revisers, and 200 copies of said bills were ordered printed.

Mr. Williams, on leave, introduced

No. 31 (S.) A bill relating to Courts of Record in this State,

Which was read a first and second times.

A message from the Assembly by their chief clerk:

Mr. President:—

I am requested to ask the Senate to return to the Assembly,

No. 29 (S.) A bill to appropriate money for the payment of members and officers of the Legislature,

Under a Resolution adopted by the Assembly as follows:

Resolved, That the clerk be directed to request the Senate to return to this House, the bill providing for the payment of the members and officers of the Legislature.

And the said message being taken up;

On motion of Mr Botkin,

The chief clerk of the Senate was directed to return the said bill No. 29 (S.) to the Aassembly.

Mr. Williams moved that all rules be suspended in relation to the bill of the Revisers respecting common schools,

Which was agreed to, and

On motion of Mr. Williams,

Senate resolved itself into a committee of the whole, on

No. 32 (S.) A bill relating to Common Schools;

Mr. Horn in the chair.

After some time spent therein, the committee rose, reported progress and asked leave to sit again.

Leave was granted.

Mr. Boyd from the committee on enrolled bills,

Reported as follows:

The committee on enrolled bills would report,

No. 4 (A.) A bill to provide for laying out certain roads therein named;

No. 3 (A.) A Memorial to Congress, for a Mail route from Prairie La Cross to Madison, in the county of Dane;

No. 11 (A.) A bill to organize the several towns therein named;

No. 10 (A.) A bill amendatory to an act to provide for the division of the several counties under the county system of Government into towns;

As correctly enrolled.

Mr. Horn moved to adjourn until 3 o'clock this afternoon,

Which was not agreed to;

And the ayes and noes being called for,

Those who voted in the affirmative, were

Messrs. Botkin, Gardner, Horn, Lakin, Merrill, Norton, Sprague and Willard—8.

Those who voted in the negative, were

Messrs. Boyd, Chase, Dennis, Fisher, Goodell, Kinney, Murphy, Smith and Williams—9.

Mr. Boyd, moved to adjourn until 2 o'clock this afternoon,

Which was agreed to;

And the ayes and noes being called for,

Those who voted in the affirmative, were

Messrs. Boyd, Chase, Dennis, Gardner, Goodell, Kinney, Lakin, Murphy, Smith and Williams—10.

Those who voted in the negative, were

Messrs. Botkin, Fisher, Horn, Merrell, Norton, Sprague and Willard—7.

SAME DAY, 2 O'CLOCK, P. M.

Mr. Horn moved a call of the House,

And the roll being called,

Messrs. Botkin, Boyd, Cothren, Fisher, Merrell, Murphy and Willard were reported absent.

On motion of Mr. Kinney,

Further proceedings on the call were suspended.

Mr. Kinney offered the following resolution:

Resolved, That the chief Clerk of the Senate be directed to request the Assembly to return to the Senate, bill

No. 11 (A.) A bill to organize the several Towns therein named,

Which was adopted.

On motion of Mr. Gardner,

Senate again resolved itself into a committee of the whole on bill

No. 32 (S.) A bill relating to common schools;

Mr. Horn in the chair.

After some time spent therein, the commitee rose and by their chairman reported the bill back to the Senate with sundry amendments;

And the qustion being on concurring in the amendments of the committee of the whole;

On motion of Mr. Chase,

Said bill No. 32 (S.,) together with the amendments was laid on the table until to-morrow.

A message from the Assembly by their chief clerk.

Mr. President—

I am directed to inform you that the Assembly have passed the following bills, to wit.

No. 10, (S.) An act to provide for laying out a certain road in the counties of Fond du Lac and Winnebago;

No. 13 (S.) A bill to pay George E. Graves the several sums therein named;

No. 15 (S.) A bill to change the name of John Meehan to John Smith;

No. 5 (S.) Memorial to Congress in relation to the establishment of a Marine Hospital on Rock Island;

Without amendments, and

No. 18, (S.) A bill to provide for the payment of the commissioners appointed to locate the State lands;

With several amendments, in which the concurrence of the Senate is requested.

The Assembly have also passed,

No. 2 (A.) A bill to authorize the Presbyterian church in Platteville, Grant county, to change its name and form of government;

No. 14 (A.) A bill to amend an act entitled "An act concerning the action of Ejectment;

No. 16 (A.) A bill declaring certain roads in the town of Shields, lawful highways;

No. 19 (A.) A bill to appropriate to William H. Sullivan the sum therein named;

No. 22 (A.) A bill to legalize the proceedings of a special town meeting in the town of Calumet;

No. 23 (A.) A bill in relation to school district No. 11 in the town of Waukesha.

No. 2 (A.) Joint resolution relative to manuscript maps;

In which the concurrence of the Senate is requested.

I am further directed to present for your signature,

"Memorial to Congress on the subject of a Mail route."

"An act amendatory to an act to provide for the division of the several counties under the county system of Government into towns;" and

"An act to provide for laying out certain roads therein named;"

Which have been signed by the speaker of the Assembly.

I am directed according to request of the Assembly to return to the Senate,

No. 11 (A.) A bill to organize the several towns therein named.

The Assembly have passed

No. 29, (A.) A bill to appropriate money for the payment of members and officers of the legislature; with amendments.

In which the concurrence of the Senate is requested.

And the said message being taken up,

No. 2 (A.) A bill to authorize the Presbyterian church in Platteville, Grant county, to change its name and form of Government;

Was read a first and second times.

No. 2 (A.) Joint resolution relative to manuscript maps;

Was read a first and second times, and

On motion of Mr. Chase,

Said resolution, No. 2 (A.) was referred to the committee on state affairs;

No. 14 (A.) A bill to amend an act entitled an act concerning the action of Ejectment;

Was read a first and second times, and

On motion of Mr. Chase,

Said Bill No. 14 (A.) was referred to the committee on the Judiciary.

No. 16, (A.) A bill declaring certain roads in the town of Shields lawful highways,

Was read a first and second times; and

On motion of Mr. Chase,

Said bill No. 16, (A.) was referred to the committee on roads and bridges.

No. 19, (A.) A bill to appropriate to William H. Sullivan the sum therein named,

Was read a first and second times; and

On motion of Mr. Chase,

Said bill No. 19, (A.) was referred to the committee on claims.

No. 22, (A.) A bill to legalize the proceedings of a special town meeting in the town of Calumet,

Was read a first and second times; and

On motion of Mr. Chase,

Said bill No. 22, (A.) was referred to the committee on the Judiciary.

No. 23, (A.) A bill in relation to school district No. 11, in the town of Waukesha,

Was read a first and second times; and

On motion of Mr. Chase,

Said bill No. 23, (A.) was referred to the committee on education and school lands.

No. 11, (A.) A bill to organize the several towns therein named,

Returned from the Assembly on request, was taken up,

And on motion of Mr. Kinney,

Said bill No. 11, (A.) was, by unanimous consent, amended as follows:

Strike out the word "Springfield" in the first section, and insert "Juneau."

And the said bill No. 11, (A.) was passed and the title agreed to.

The amendments of the Assembly to

No. 18, (S.) A bill to provide for the payment of the commissioners appointed to locate the State lands,

Were taken up, and the following

1. Strike out "William" before "J. S. Fisk;"

2. Add the following section:

"To Timothy Burns the sum of thirty dollars for ten days services as commissioner to locate the State lands,"

Were severally concurred in.

The amendments to

No. 29, (S.) A bill to appropriate money for the payment of members and officers of the legislature,

Were taken up;

And the question being on concurring in the first amendment,

It was concurred in.

And the question being on concurring in the second amendment,

It was non-concurred in.

And the question being on concuriing in the third amendment,

On motion of Mr. Kinney,

Said bill No. 29, (S.(with the amendment was referred to the committee on State affairs.

Mr. Botkin from the committee on State affairs, to whom was referred

No. 29, (S.) A bill to appropriate money for the payment of members and officers of the legislature,

Together with the amendment,

Reported bill No. 29, (S.) back to the Senate with an amendment.

And the same being under consideration,

On motion of Mr. Boyd,

The said bill No. 29, (S.) and the amendments were laid on the table.

Mr. Boyd, on leave, introduced bill

No. 33, (S.) A bill for an act to appropriate money to persons therein named;

Which was read a first and second times.

On motion of Mr. Boyd,

The printing of said bill No. 33, (S.) was dispensed with.

On motion of Mr. Horn,

The rule requiring bills to lie one day on the table was suspended in relation to said bill No. 33, (S.)

Mr. Horn moved that Senate do now go into committee of the whole on said bill No. 33, (S.;)

Which was agreed to; and

Senate resolved itself into a committee of the whole on

No. 33, (S.) A bill for an act to appropriate money to persons therein named;

Mr. Smith in the chair.

After some time spent therein, the committee rose and by their chairman reported the said bill No. 33, (S.) with amendments.

And the question being on concurring in said amendments,

They were concurred in; and

No. 33, (S.) A bill for an act to appropriate money to certain persons therein named,

Was ordered to be engrossed and read a third time.

On motion of Mr. Chase,

Senate adjourned until to-morrow morning at 10 o'clock.

THURSDAY, February 1, 1849.

On motion of Mr. Willard,

The reading of the Journal of yesterday was dispensed with.

Mr. Smith, on leave, introduced

No. 34, (S.) A bill to constitute certain persons members of the Milwaukee Cemetery Association;

Which was read first and second times and printing of this bill dispensed with.

Mr. Fisher, on leave, introduced

No. 35, (S.) A bill to authorize H. S. Allen, Stover Rines, Moses Rines, and their associates to construct and maintain a Boom in the Chippewa river in the county of Chippewa;

Which was read a first and second times.

Mr. Botkin from the committee on State affairs made

REPORT:

The committee on State affairs who were instructed by the Senate to bring in a bill to provide for the election of a Superintendent of Public Property by the people, and to define his powers and duties, have had the same under consideration, and in obedience to said instructions, I am directed to report the bill herewith presented.

A. BOTKIN,
Chairman committee on State Affairs.

No. 36, (S.) A bill for an act entitled "an act to provide for the election of a State Librarian and to define his powers and duties;

Which was read a first and second times.

Mr. Chase, on leave, introduced

No. 37, (S.) A bill to amend an act entitled "an act to provide for the improvement of the Fox and Wisconsin rivers and connecting the same by a canal;

Which was read a first and second time.

Mr. Botkin from the minority of the joint select committee on Joint Resolution in relation to a vote on the county seat of Washington county, made a Report; [See Appendix.]

Which was in part read, and

On motion of Mr. Horn.

The further reading was dispensed with,

And the majority and minority Reports on this subject, together with the accompanying documents were ordered to be printed.

Mr. Fisher from the committee on Engrossed bills,

Reported as correctly engrossed,

No. 33 (S.) A bill for an act to appropriate money to persons therein named.

And said bill No. 33 (S.) was taken up, and

On motion of Mr. Williams,

Was amended by unanimous consent as follows:

Insert after the word "appropriated" where it occurs near the close of the first section, and near the commencement of the second section, the words "to be paid upon the certificates of the Secretary of State, as aforesaid.

Mr. Chase moved further to amend said bill No. 33 (S.,) by adding the following to the first section:

"And to each of the Revisers of the Laws, the sum of one hundred dollars, as part pay for their services;

Which was unanimously agreed to.

Mr. Chase moved to fill the blank in said bill No. 33 (S.) with the sum of fourteen hundred and eighty-two dollars;

Which was unanimously agreed to, and

No. 33 (S.) A bill for an act to appropriate money to persons therein named,

Was read a third time and passed;

And the ayes and noes being called,

Those who voted in the affirmative, were

Messrs. Botkin, Boyd, Chase, Dennis, Fisher, Gardner, Goodell, Horn, Kinney, Merrell, Murphy, Norton, Smith, Sprague, Willard and Williams—16.

None in the negative.

The title was then amended and agreed to.

The amendments of the committee of the whole to

No. 32 (S.) A bill relating to common Schools;

Was taken up and concurred in,

Mr. Smith moved further to amend the bill, as follows:

Strike out the following words in the fifth section, "Who shall be the head of a family, or shall then own any real estate in such district; or who shall have paid or had assessed against him, either jointly or individually within the town, any tax except a poor tax, in the same year such meeting shall be held, or in the year next preceding," and insert "who shall be a qualified voter according to the Constitution."

Mr. Gardner moved a call of the House;

And the roll being called,

Messrs. Botkin and Cothren were reported absent, and they having afterwards appeared in their seats,

On motion of Mr. Kinney,

Further proceedings on the call were suspended.

And the question recurring on agreeing to the amendment,

It was not agreed to.

And the ayes and noes being called for,

Those who voted in the affirmative, were

Messrs. Chase, Cothren, Fisher, Gardner, Horn, Smith and Willard—7.

Those who voted in the negative, were

Messrs. Botkin, Boyd, Dennis, Goodell, Kinney, Lakin, Merrell, Murphy, Norton, Sprague and Williams—11.

On motion of Mr. Norton,

Leave of absence for this day was granted to Mr. Cothren.

Mr. Horn offered the following as a farther amendment to section five:

Strike out all to the word "who" and insert as follows:

"Every person coming within the meaning of the constitution in article III on suffrage,"

Which was agreed to.

And the ayes and noes being called for,

Those who voted in the affirmative, were

Messrs. Botkin, Fisher, Gardner, Horn, Lakin Merrell, Murphy, Smith and Willard—9.

Those who voted in the negative, were

Messrs. Boyd, Chase, Dennis, Goodell, Kinney, Norton, Sprague and Williams—8.

On motion of Mr. Lakin, said bill

No. 32 (S.) A bill relating to common schools;

Was laid on the table.

A message from the Assembly by their chief clerk:

Mr. President—

I am directed to inform you that the Assembly have passed,

No. 9 [S.] A bill to appropriate to the county of Crawford the sum therein named; and

No. 14 [S.] A bill to appropriate to J. C. Fairchild the sum therein named;

Without amendments, and

No. 3 [A.] Joint resolution relating to the printing of the laws;

No. 17 [A.] A bill for a State road from Black River to the Shaurette Mills on the Wisconsin River; and

No. 29 [A.] A bill to cede jurisdiction to the United States, over lands to be occupied as sites of Light Houses within this State;

In which the concurrence of the Senate is requested.

Also, the following message was received from the Assembly by their chief clerk:

Mr. President—

I am directed to inform you that the Assembly have adopted the following Joint Resolution, to wit:

Resolved, by the Senate and Assembly, That the Governor be requested to cause the basement story of the capital to be cleared of wood, to be thoroughly cleansed and the ground to be sprinkled with lime;

In which the concurrence of the Senate is requested.

On motion of Mr. Horn,

The Senate adjourned until three o'clock this afternoon.

SAME DAY 3 O'CLOCK, P. M.

The messages of the Assembly were taken up, and

No. 3, (A.) Joint resolution relating to the printing of the laws,

Was read a first and second times; and

On motion of Mr. Kinney,

Said bill No. 3, (A.) was referred to the committee on public printing.

No. 17, [A.] A bill for a State road from Black River to the Shaurette Mills on the Wisconsin river,

Was read a first and second times; and

On motion of Mr. Chase,

Said bill No. 17, [A.] was referred to the committee on roads and bridges.

No. 29, [A.] A bill to cede jurisdiction to the United States over lands to be occupied as sites of light-houses within this State,

Was read a first and second times.

Joint resolution in relation to the basement story of the Capitol,

Was read a first and second times; and

On motion of Mr. Lakin,

Said resolution was now taken up and considered.

And on motion of Mr. Kinney,

Said resolution was referred to the committee on State affairs.

Mr. Williams moved that all rules be now suspended, and that Senate go into committee of the whole on the general file of bills;

Which was agreed to; and

Senate resolved itself into a committee of the whole on the general file of bills;

Mr. Willard in the chair.

After some time spent therein the committee rose and by their chairman reported

No. 5, (S.) A bill concerning the rights of married women,

With sundry amendments.

And the question being on concurring in the first amendment,

It was non-concurred in.

And the question being on concurring in the second amendment,

It was non-concurred in.

And the ayes and noes being called for,

Those who voted in the affirmative, were

Messrs. Botkin, Fisher, Kinney, Lakin, Merrell, Norton, Smith and Williams—8.

Those who voted in the negative, were

Messrs. Boyd, Chase, Dennis, Gardner, Goodell, Horn, Murphy, Sprague and Willard—9.

Mr. Horn moved to lay said bill No. 5, (S.) on the table,

Which was not agreed to.

And the question being on ordering said bill No. 5, (S.) to be engrossed and read a third time,

It was agreed to.

And the ayes and noes being called for,

Those who voted in the affirmative, were

Messrs. Botkin, Boyd, Chase, Dennis, Gardner, Goodell, Horn, Murphy, Smith and Willard—10.

Those who voted in the negative, were

Messrs. Fisher, Kinney, Lakin, Merrell, Norton, Sprague and Williams—7.

Also,

No. 20, (S.) A bill to establish a State road through a part of Iowa, Richland and Sauk counties,

Without amendment.

And on motion of Mr. Merrell,

Said bill No. 20, (S.) was laid on the table.

Also,

No. 9, (S.) Memorial to Congress on the subject of a Mail Route from Waukesha to Cedarburg,

Without amendment.

And said Memorial No. 9, [S.] was ordered to be engrossed and read a third time.

And leave was granted to the committee to sit again.

A message from the Assembly by their chief clerk:

Mr. President—

I am directed to inform you that the Assembly have concurred in the passage of

No. 33, [S.] A bill to appropriate money to persons therein named.

Mr. Murphy, on leave, introduced the following resolution:

Resolved, That the Sergeant-at-Arms be directed to restrain the children who dispose of fruit from coming into the Senate chamber after this day;

Which was adopted.

A message from the Assembly by their chief clerk:

Mr. President—

I am directed to inform you that the Assembly have adopted the following joint resolution, to wit:

Resolved, By the Senate and Assembly, That the Governor be requested to cause the basement story of the Capitol to be cleared of wood, to be thoroughly cleansed, and the ground to be sprinkled with lime;

In which the concurrence of the Senate is requested.

And the said message being taken up,

The said resolution was read a first and second times;

And on motion of Mr. Kinney,

It was referred to the committee on State affairs.

Also the following message from the Assembly by their chief clerk:

Mr. President—

I am directed to present for your signature,

"An act to organize the Kilbourn road district;"

"An act to organize the several towns therein named;"

"An act to appropriate to J. C. Fairchild the sum therein named;"

"An act to provide for the payment of the commissioners appointed to locate the State lands;"

"An act to provide for the laying out a certain road in the counties of Fond du Lac and Winnebago;"

"An act to pay George E. Graves the several sums therein named;"

"An act to change the name of John Meehan to that of John Smith;" and

"An act to appropriate to the county of Crawford the sum therein named;"

Which have been signed by the Speaker of the Assembly.

Mr. Botkin from the committee on State affairs, to whom the subject had been referred, made the following

REPORT:

The committee on State Affairs, to whom was referred a joint resolution of the Assembly relative to clearing the Capitol of sundry lots of trash therein, which the people complain of as being not only detrimental to the health of the citizens, but to the body politic, having had under consideration this important subject, and believing that the accomplishment of so desirable an object as that contained in the resolution, would tend materially to benefit the community at large, do recommend its passage by the Senate.

A. BOTKIN, Ch'n.
ASA KINNEY,
MYRON B. WILLIAMS.

Which report was received andopted.

Mr. Botkin on leave presented the petition of 373 citizens of Dane and Sauk counties, praying a charter to build a bridge over the Wisconsin river at Prairie du Sauk;

Which was referred to the committee on roads and bridges.

Mr. Boyd from the select committee, to whom the subject had been referred, made the following Report:

The select committee to whom was referred resolutions relative to slavery and the slave trade, would respectfully report, that they have had the same under consideration, and recommend the adoption of a substitute, which is herewith presented.

JOHN W. BOYD,
W. CHASE,
E. T. GARDNER.

Resolved, By the Senate and Assembly of the State of Wisconsin, That our Senators in Congress be and they are hereby instructed, and our Representatives requested,

FIRST. To oppose the passage of any act for the government of New Mexico and California, or any other Territory now belonging to the United States, or which may hereafter be acquired, unless it shall contain a provision forever prohibiting the introduction of Slavery or involuntary servitude into said Territories, except as a punishment for crimes.

SECOND. To oppose the admission of any more Slave States into the Federal Union.

THIRD. To exert their influence to procure the repeal of all laws sustaining slavery and the slave trade in the District of Columbia, or in any other place under the control of the National Government, and to secure the passage of laws prohibiting slavery and the slave trade in all places under the exclusive jurisdiction of the Federal Government.

Resolved, That his Excellency the Governor is hereby requested immediately to forward a copy of the foregoing resolutions to each of our Senators and Representatives in Congress, to be by them laid before Congress.

Mr. Botkin, from the minority of the same committee, made the following

REPORT:

The minority of the committee report the resolutions herewith, and ask that the resolution of the House marked "A." be appended hereto, as a part of this report:

1st. *Resolved*, By the Senate and Assembly, That our Senators and Representatives in Congress be requested to use their influence to procure the passage of laws for the establishment of Governments for the Territories acquired by the Treaty of Peace with Mexico, and by such laws involuntary servitude (except for crime) be entirely excluded from such Territories, and States, so soon as they shall become States.

2d. *Resolved*, That the Territory lying between the Nueces and the Rio Grande, is of right the common property of the United States, and that our Senators and representatives in Congress be requested to use their influence to preserve the same as such, and protect it from the unfounded claim of the State of Texas, and prohibit the extension over it of the laws of Texas or the Institution of Domestic Slavery.

3d. *Resolved*, That the existence of Prisons for the confinement and Marts for the sale of slaves at the seat of the National Government, is viewed by this Legislature as wrong, and ought to be abolished—and that our Senators and Representatives in Congress be requested to use their influence to procure the passage of a law that will protect slaves from unjust imprisonment, and to effectually put an end to the slave trade in the District of Columbia hereafter.

4th. *Resolved,* That the Governor be requested to forward copies of the foregoing Resolutions to our Senators and Representatives in Congress, without delay.

Mr Boyd from the committee on enrolled bills made the following Report:

The committee on enrolled bills would report

No. 9 [S.,] A bill to appropriate to the county of Crawford the sum therein named;

No. 10 (S.) An act to provide for the laying out a certain road in the counties of Fond du Lac and Winnebago;

No. 13 (S.) A bill to pay George E. Graves the several sums therein named;

No. 14 (S.) A bill to appropriate to J. C. Fairchild the sum therein named;

No. 15 (S.) A bill to change the name of John Meehan to John Smith;

No. 18, (S.) A bill to provide for the payment of the commissioners appointed to locate the State lands;

No. 1 (A.) A bill to organise the Kilbourn road district;

No. 11 (A.) A bill to organize the several towns therein named;

No. 33, (S.) A bill to appropriate money to persons therein named,

As correctly enrolled.

Mr. Kinney moved that Senate resolve itself into a committee of the whole on the majority reports on Slavery and the Slave trade;

Which was not agreed to.

Mr. Lakin moved that Senate take up,

No. 32 (S.) A bill relating to Common Schools;

Which was agreed to;

And the same being under consideration,

Mr. Lakin, moved further to amend the same as follows:

"Insert two additional sections to stand as sections forty and forty-one.

Sec. 40. The board in each school district shall have power under the advies of the Superintendent of public instruction to determin what school and text book shall be used in the several branches taught in the school of such district.

SEC. 41. In every district school, there shall be taught Orthography, Reading, Writing, English Grammar, Geography and Arithmetic, during the time which such school shall be kept, and such other branches of education as may be determined upon by the board;

Which several sections 40 and 41, were considered and adopted.

And said bill No. 32 (S.) was ordered to be engrossed and read a third time.

Mr. Boyd from the committee on Enrolled bills,

Reported as follows:

The committee on enrolled bills would report that they have this day presented to the Governor for his approval,

An act to organise a school district therein named;

A memorial to Congress on the subject of a mail route from the Falls of St. Croix to La Point on Lake Superior;

Memorial to Congress on the subject of a mail Route;

'An act tn provide for laying out certain roads therein named:'

An act amendatory to an act to provide for division of the several counties under the county system of government into towns;

A message from the Assembly by their chief clerk:

Mr. President:—

I am directed to present for your signature,

An act to appropriate money to Persons therein named,

Which has been signed by the speaker of the Assembly.

On motion of Mr. Willard,

The Senate adjourned until 10 o'clock to-morrow morning.

FRIDAY, February 2d, 1849.

Prayer by the Rev. Mr. Penman.

On motion of Mr. Horn,

The reading of the Journal of yesterday was dispensed with.

Mr. Botkin presented the account of Henry C. Parker against the State;

Which was referred to the committee on claims.

Mr. Murphy, on leave, introduced

No. 38, (S.) A bill to establish the county seat of La Fayette county and for other purposes;

Which was read a first and second times.

Mr. Kinney from the joint select committee on the subject of the business of the Legislature at its present session, made the following report, (see Appendix,) together with the follow-resolutions:

No. 10, (S.) Resolutions in relation to the business of the legislature at its present session;

Which was read a first and second times; and

On motion of Mr. Kinney,

500 copies of the report and resolutions were ordered to be printed.

On motion of Mr. Kinney,

All rules with relation to said resolutions No. 10, (S.) were suspended, and said resolutions were taken up, and

On motion of Mr. Smith,

The Senate resolved itself into a committee of the whole on

No. 10, (S.) Resolutions in relation to the business of the legislature at its present session;

Mr. Murphy in the chair.

After some time spent therein, the committee rose and by their chairman reported back said resolutions No. 10, (S.) with amendments.

And the said amendments were concurred in;

And said resolutions No. 10, (S.) were adopted.

Mr. Boyd from the commitiee on enrolled bills, made the following

REPORT:

The committee on enrolled bills would report that they did on yesterday present to the Governor for his approval,

"An act to provide for the laying out a certain road in the counties of Fond du Lac and Winnebago;"

"An act to change the name of John Meehan to that of John Smith;" and

"An act to appropriate to J. C. Fairchild the sum therein named;"

"An act to appropriate to the county of Crawford the sum therein named;"

"An act to pay George E. Graves the several sums therein named;"

"An act to provide for the payment of the commissioners appointed to locate the State lands;"

"An act to appropriate money to persons therein named."

The President laid before the Senate the following communication from the Governor:

To the Senate—

The bill entitled "an act to appropriate money to persons therein named," I return to the Senate in which it originated, without my approval, and with objections to its becoming a law.

I object to the passage of this bill because in my opinion it contravenes the ninth section of the eighth article of the constitution, which provides that no scrip certificate or other evidence of State debt whatever shall be issued, except for such debts as are authorized by the sixth and seventh sections of this article.

This bill provides that "certificates shall be issued by the Secretary of State, upon which alone the State Treasurer shall pay the appropriations of money made by it." It will be perceived that this bill authorizes the issuing of one of the kinds of evidences of State debt expressly inhibited by this section of the constitution from being issued, which is a clear and direct infringement of the conotitutional law.

In my opinion, the act making the appropriation, is the only authority upon which money can be constitutionally drawn from the State Treasury, and is an unfailing check upon the disbursements of the Treasurer. For my views upon this subject, I refer to my annual message to the Legislature at the commencement of the present session.

Entertaining these constitutional objections to this bill, my approval of it is reluctantly withheld.

NELSON DEWEY.

Executive Department,
Madison, Feb. 2, 1849.

And the said communication having been read, and

"An act to appropriate money to persons therein named,"

Being taken up, and again before the senate.

Mr. Kinney moved a call of the House.

On motion of Mr. Botkin,

Leave of absence was granted to Mr. Norton.

On motion of Mr. Boyd,

Leave of absence was granted to Mr. Willard.

Mr. Cothren was reported absent,

And afterwards appeared in his seat, when

On motion of Mr. Williams,

Further proceedings in the call were suspended.

And the question being,

Will Senate re-consider and pass

"An act to appropriate money to persons therein named,"

Notwithstanding the objections of the Governor.

And the ayes and noes were called, and

Those who voted in the affirmative, were

Messrs. Botkin, Chase, Cothren, Dennis, Fisher, Gardner, Goodell, Horn, Kinney, Lakin, Merrell, Murphy, Sprague and Williams—14.

Those who voted in the negative, were

Messrs. Boyd and Smith—2.

So, two thirds of the Senators having voted in the affirmative,

"An act to appropriate money to persons therein named,"

Was passed,

And said act was sent to the Assembly.

The following message was received from the Governor.

To the Senate—

I have this day approved, signed and deposited in the office of the Secretary of State, Acts of the following titles:

"An act to change the name of John Meehan to that of John Smith."

"An act to provide for the laying out a certain road in the counties of Fond du Lac and Winnebago."

"An act to pay George E. Graves the several sums therein named."

"An act to appropriate to J. C. Fairchild the sum therein named;" and

"An act to appropriate to the county of Crawford the sum therein named."

NELSON DEWEY.

EXECUTIVE DEPARTMENT,
Madison, February 1, 1849.

On motion of Mr. Chase, Senate adjourned until two o'clock this afternoon.

SAME DAY 2 O'CLOCK, P. M.

On motion of Mr. Merrell,

Mr. Horn was called to the chair.

Mr. Smith moved a call of the House.

And the roll being called,

Messrs. Botkin, Boyd, Chase, Dennis, Fisher, Gardner, Goodell, Kinney and Lakin, were reported absent.

The absentees being sent for, and appearing in their seats.

On motion of Mr. Smith,

Further proceedings of the call were suspended.

A message from the Assembly by their chief clerk:

Mr. President—

I am directed to inform you that the Assembly have concurred in the passage of

No. 17 (S.) A bill to pay Messrs. Hale and Chapman the sums therein named;

Without amendment—

And have also passed;

No. 31 (A.) A bill to authorize the construction of a bridge across Fox River.

No. 32 (A.) A bill to declare the Oconto River, a navigable stream.

No. 33 (A.) A bill to authorize William H. Morse to keep and maintain Ferries across the St. Croix and Mississippi Rivers; and

No. 34 (A.) A bill to vacate the town plat of the town of Victory, in the county of Dodge;

In which the concurrence of the Senate is requested.

The Governor has informed the Assembly that he did on yesterday approve, sign and deposit in the office of the Secretary of State acts of the following titles:

"An act amendatory to an act to provide for the division of the several counties under the county system of Government into towns;"

"An act to organize a school district therein named."

"An act to provide for laying out certain roads therein named;"

"An act to organize the Kilbourn road district;"

"An act to organize the several towns therein named;"

Also,

"Memorial to Congress on the subject of a Mail route;"

And,

"A Memorial to Congress on the subject of a Mail route from Falls of St. Croix to La Point on Lake Superior;"

On motion of Mr. Horn,

The message was taken up, and bills,

No. 31 (A.) A bill to authorize the construction of a bridge across Fox river.

No. 33 (A.) A bill to authorize William H. Morse to keep and maintain Ferries across the St. Croix and Mississippi rivers; and

No. 32 (A.) A bill to declare the Oconto River a navigable stream;

Were severally read a first and second times, and

On motion of Mr. Chase,

Were severally referred to the committee on roads and bridges.

No. 34 (A.) A bill to vacate the town plat of the town to Victory, in the county of Dodge;

Was read a first and second times, and

On motion of Mr. Chase,

Referred [illegible] committee on Incorporations,

Mr. Chase, on leave, presented the petition of sundry citizens of *Metomon*, Fond du Lac county, on the subject of School moneys,

Which was referred to the committee on education and school lands,

Mr. Horn moved to adjourn,

Which was not agreed to.

Mr. Fisher from the committee on engrossed bills,

Reported as correctly engrossed,

No. 5 (S.) A bill concerning the rights of married women;

No. 9, (S.) Memorial to Congress on the subject of a Mail Route from Waukesha to Cedarburg.

On motion of Mr. Horn,

No. 5 (S.) A bill concerning the rights of married women,

Was laid on the table.

No. 9 (S.) Memorial to Congress on the subject of a mail route from Wankesha to Cedarburg,

Was read a third time, passed and the title agreed to.

On motion of Mr. Kinney,

All rules were suspended, and

Senate resolved itself into a committee of the whole on the general file of bills;

Mr. Goodell in the chair.

After some time spent therein, the committee rose and by their chairman reported,

No. 26, (A.) A bill to extend the time for collecting and returning taxes in the town of Taycheda.

No. 2 (A.) A bill to authorize the Presbyterian church in Platteville, Grant county, to change its name and form of government;

No. 31 (S.) A bill relating to courts of record in this State;

Without amendment,

And asked leave to sit again;

Which was granted.

On motion of Mr. Kinney,

No. 29, [A.] A bill to cede jurisdiction to the United States over lands to be occupied as sites of light-houses within this State, Was withdrawn from the general file and referred to the committee on the Judiciary.

No. 26 (A.) A bill to extend the time for collecting and returning taxes in the town of Taycheeda; and

No. 2 (A.) A bill to authorize the Presbyterian church in Platteville, Grant county, to change its name and form of Government;

Were severally ordered to a third reading.

No. 31 (S.) A bill relating to courts of record in this State;

Was ordered to be engrossed and read a third time.

On motion of Mr. Kinney,

The Senate adjourned until half past six o'clock this evening.

And on this question the ayes and noes being called for,

Those who voted in the affirmative, were

Messrs. Boyd, Chase, Dennis, Gardner, Kinney, Lakin, Merrell, Murphy, Smith and Sprague—10.

Those who voted in the negative, were

Messrs. Botkin, Fisher, Goodell, Horn and Williams—5.

SAME DAY ½ PAST 6 O'CLOCK P. M.

Mr. Horn moved a call of the House.

Messrs. Boyd, Chase, Cothren, Fisher, Gardner, Goodell, Kinney, Lakin, Smith and Williams,

Were reported absent, and the absentees having been sent for, and a quorum of members appearing in their seats.

On motion of Mr. Kinney,

Further proceedings on the call were dispensed with.

A message from the Assembly by their chief clerk.

Mr. President—

I am directed to inform you that the Assembly have reconsidered and by a vote of two thirds passed,

"An act to appropriate money to persons therein named."

On motion of Mr. Horn,

The rules were suspended and the Senate resolved itself into a committee of the whole on,

"Joint Resolutoins relative to Slavery and the Slave Trade;"

Mr. Horn in the chair.

After some time spent therein, the committee rose and by their chairman reported,

Joint Resolutions relative to Slavery and the Slave Trade,

With sundry amendments.

And the question being on concurring in the amendments of the committee of the whole;

They were non-concurred in; and

The ayes and noes being called for,

Those who voted in the affirmative, were

Messrs. Botkin, Fisher, Horn, Merrell and Murphy—5.

Those who voted in the negative, were,

Messrs. Boyd, Chase, Cothren, Dennis, Gardner, Goodell, Kinney, Lakin, Smith, Sprague and Williams—11.

Mr. Horn moved to adjourn,

Which was not agreed to.

Mr. Boyd moved to amend the Resolutions as reported by the committee of the whole, by striking out all after the word "Resolved" and insert as follows:

Resolved, By the Senate and Assembly of the State of Wisconsin, That our Senators in Congress be and they are hereby instructed, and our Representatives requested,

FIRST. To oppose the passage of any act for the government of New Mexico and California, or any other Territory now belonging to the United States, or which may hereafter be acquired, unless it shall contain a provision forever prohibiting the introduction of Slavery or involuntary servitude into said Territories, except as a punishment for crimes.

SECOND. To oppose the admission of any more Slave States into the Federal Union.

THIRD. To exert their influence to procure the repeal of all laws sustaining slavery and the slave trade in the District of Columbia, or in any other place under the control of the National Government, and to secure the passage of laws prohibiting slavery and the slave trade in all places under the exclusive jurisdiction of the Federal Government.

Resolved, That his Excellency the Governor is hereby requested immediately to forward a copy of the foregoing resolutions to each of our Senators and Representatives in Congress, to be by them laid before Congress.

Mr. Botkin offered the following amendment to the amendment:

Resolved, That the Territory lying between the Nueces and the Rio Grande, is of right the common property of the United States, and that our Senators and representatives in Congress be requested to use their influence to preserve the same as such, and protect it from the claim of the State of Texas, and prohibit the extension over it of the laws of Texas or the Institution of Domestic Slavery.

Which was not agreed to.

And the ayes and noes being called for,

Those who voted in the affirmative, were

Messrs. Botkin, Chase, Cothren, Fisher, Horn, Lakin, Merrell and Murphy—8.

Those who voted in the negative, were

Messrs. Boyd, Dennis, Gardner, Goodell, Kinney, Smith, Sprague and Williams—8.

Mr. Botkin offered the following amendment to the amendment:

Resolved, That the existence of Prisons for the confinement, and Marts for the sale of slaves at the seat of the National Government, is viewed by this Legislature as wrong, and ought to be abolished—and that our Senators and Representatives in Congress be requested to use their influence to procure the passage of a law that will protect the slaves from unjust imprisonment, and to effectually put an end to the slave trade in the District of Columbia hereafter.

4th. *Resolved,* That the Governor be requested to forward copies of the foregoing Resolutions to our Senators and Representatives in Congress, without delay.

Which was not agreed to.

And the ayes and noes being called for,

Those who voted in the affirmative, were

Messrs. Botkin, Cothren, Fisher, Horn, Lakin, Merrell and Murphy—7.

Those who voted in the negative, were

Messrs. Boyd, Chase, Dennis, Gardner, Goodell, Kinney, Smith, Sprague and Williams—9.

Mr. Botkin offered the following amendment to the amendment:

Add to the third resolution as follows:

"And in the passage or repeal of such laws due regard shall be had to the rights of property belonging to citizens within the District of Columbia;"

Which was not agreed to.

And the ayes and noes being called for,

Those who voted in the affirmative, were

Messrs. Botkin, Cothren, Fisher, Horn, Lakin, Merrell, Murphy—7.

Those who voted in the negative, were

Messrs. Boyd, Chase, Dennis, Gardner, Goodell, Kinney, Smith, Sprague and Williams—9.

Mr. Botkin offered the following amendment to the amendment:

Amend the third clause by adding as follows:

"Which territory we have acquired by the result of a most justifiable war with Mexico, the glorious result of which we now boast;"

Which was not agreed to.

And the ayes and noes being called for,

Those who voted in the affirmative, were

Messrs. Botkin, Cothren, Fisher, Horn, Lakin, Merrell and Murphy—7.

Those who voted in the negative, were

Messrs. Boyd, Chase, Dennis, Gardner, Goodell, Kinney, Smith, Sprague and Williams—9.

Mr. Horn offered the following amendment to the amendment:

"*Resolved*, That nothing in the foregoing resolutions shall be so construed as to interfere with the domestic institutions of the several States;"

Which was not agreed to.

And the ayes and noes being called for,

Those who voted in the affirmative, were

Messrs. Botkin, Cothren, Fisher, Horn and Murphy—5.

Those who voted in the negative, were

Messrs. Boyd, Chase, Dennis, Gardner, Goodell, Kinney, Lakin, Merrell, Smith, Sprague and Williams—11.

Mr. Cothren offered the following amendment to the amendment:

Strike out all after the word "Resolved" and insert as follows:

Resolved, "We are opposed to the extension of slavery into territory now free or that may be hereafter acquired by the government.

Resolved, That we are in favor of abolishing slavery in the District of Columbia, so soon as it can be done, with a due observance of the rights of private individuals, and without endangering the safety of the Union.

Resolved, That our Senators and Representatives in Congress be and they are hereby instructed to use their influence and exertions to carry into effect the measures embodied in the above and foregoing resolutions;"

Which was not agreed to.

And the ayes and noes being called for,

Those who voted in the affirmative, were

Messrs. Botkin, Cothren, Fisher, Horn, Lakin Merrell and Murphy—7.

Those who voted in the negative, were

Messrs. Boyd, Chase, Dennis, Gardner, Goodell, Kinney, Smith, Sprague and Williams.—9.

Mr. Horn offered the following amendment to the amendment:

Resolved, That a certain portion of the newly acquired Territory be set apart by Congress for a black population, and that the land be donated to them in limited quantities and to actual settlers;

Which was not agreed to.

And the ayes and noes being called for,

Those who voted in the affirmative, were

Messrs. Botkin, Cothren, Fisher, Horn, Lakin, Merrell and Murphy—7.

Those who voted in the negative, were

Messrs. Boyd, Chase, Dennis, Gardner, Goodell, Kinney, Smith, Sprague and Williams—9.

And the question recurring on the amendment,

It was agreed to.

And the ayes and noes being called for,

Those who voted in the affirmative, were

Messrs. Boyd, Chase, Dennis, Gardner, Goodell, Kinney, Lakin, Merrell, Smith, Sprague and Williams.11

Those who voted in the negative, were

Messrs. Botkin, Cothren, Fisher, Horn and Murphy—5.

And the question being on the adoption of the resolutions as amended,

It was agreed to.

And the ayes and noes being called for,

Those who voted in the affirmative, were

Messrs. Botkin, Boyd, Chase, Cothren, Dennis, Gardner, Goodell, Horn, Kinney, Lakin, Merrell, Smith, Sprague and Williams—14.

Those who voted in the negative, were

Messrs. Fisher and Murphy—2.

On motion of Mr. Botkin,

All resolutions in relation to slavery and the slave trade were laid on the table.

Mr. Botkin, on leave, introduced

No. 39, (S.) A bill to regulate the time of holding courts in the second and third circuits;

Which was read a first and second times.

Mr. Gardner asked leave of absence until Tuesday next;

Which was granted;

The President laid before the Senate the following communication of the chief clerk:

Senate Chamber, Feb. 2d, 1849.

Mr. President:—

I have this day deposited in the Office of the Secretary of State,

"An act to appropriate money to the persons therein named."

The same having been certified to have been passed by a vote of two-thirds of the Senate and two-thirds of the Assembly, after reconsideration of the same on the return thereof, with the veto of the Governor, on the 2nd day of February, A. D. 1849.

WM. R. SMITH, Ch'f Clerk Senate.

On motion of Mr. Williams,
Senate adjourned until 10 o'clock to-morrow morning.

SATURDAY, February 3d, 1849.

Prayer by the Rev. Mr. Lord.

On motion of Mr. Horn,

The reading of the Journal of yesterday was dispensed with.

Mr. Horn introduced the following Resolution:

Resolved, That the printing of the daily slips be dispensed with;

Which was,

On motion of Mr. Chase,

Laid on the table.

Mr. Smith offered the following resolution:

Resolved, by the Senate and Assembly, that hereafter no bill, joint resolution or memorial shall be printed unless specially ordered by the House in which it is introduced, or shall have been ordered by the joint select committee on printing, to whom such bill, joint resolution or memorial may have been referred; which,

On motion of Mr. Botkin,

Was laid on the table.

Mr. Goodell offered the following Resolution:

Resolved, That no more newspapers be taken by members, at the expense of the State; which,

On motion of Mr. Chase,

Was laid on the table.

Mr. Horn, on leave, introduced the following bills:

No. 40 (S.) A bill to vacate a certain street in the village of Cedarburg;

Which was read a first and second times, and printing dispensed with; also, No. 41 (S.) A bill to pay Ernest F. Herzberg, the sum therein named;

Which was read a first and second times, and the printing dispensed with.

On motion of Mr. Horn,

Senate adjourned until 3 o'clock this afternoon.

SAME DAY 3 O'CLOCK, P. M.

Mr. Merrell from the committee on engrossed bills, reported as correctly engrossed,

No. 32 (S.) A bill relating to common schools; and,

No. 31 (S.) A bill relating to courts of Record in this State.

Mr. Fisher from the committee on roads and bridges, reported,

No. 17 (A.) A bill for a state road from Black River to the Shaurette Mills on the Wisconsin River;

With an amendment. And,

No. 16 (A.) A bill declaring certain roads in the Town of Shields, lawful highways;

Without amendment.

And said bill No. 17 (A.) was read a second time.

And said bill No. 16 (A.) was ordered to a third reading.

Mr. Lakin from the Judiciary committee to whom was referred the petition of Alfred Brunson on part of the Heirs of Thomas P. Burnett deceased, Reported

No. 42 (S.) A bill to provide for the payment of the heirs of the late Thomas P. Burnett deceased, for reporting the decisions of the Supreme Court of the Territory of Wisconsin;

Which was read a first and *second times*, and the printing dispensed with.

No. 31 (S.) A bill relating to courts of record in this State;

Was read a third time, passed and title agreed to.

No. 32 (S.) A bill relating to common schools;

Was read a third time, passed and title agreed to.

No. 26 (A.) A bill to extend the time for collecting and returning taxes in the town of Taycheeda;

Was read a third time, and

On motion of Mr. Cothren,

The said bill No. 26 (A.) was by unanimous consent amended by inserting the words "in the county of Fond du Lac."

And said bill No. 26 (A.) was read a third time and passed;

And on motion of Mr. Cothren,

The title was amended to correspond with the bill,

And the title as amended was agreed to.

No. 2 (A.) A bill to authorize the Presbyterian church in Platteville, Grant county to change its name and form of Government;

Was read a third time, passed and title agreed to.

Mr. Horn offered the following resolution:

Resolved, That the chief clerk of the Senate, be directed to procure from the Treasury Office an abstract of the number of miles that each member of the Senate and Assembly claim to have traveled, and whereupon he has received pay;

Which was adopted.

The following communication was received from the Governor:

Executive Chamber,
Madison, February 3, 1849.

To the Senate—

The accounts of Joseph Atherton and Ernest Herzberg for services as commissioners to locate the 500,000 acres of land granted to the State by Congress, are herewith transmitted for the action of the Legislature.

NELSON DEWEY.

On motion of Mr. Horn,

The rules were suspended in relation to bill

No. 17 (A.) A bill for a State road from Black River to the Shaurette Mills, on the Wisconsin River.

And the said bill being under consideration,

The amendment to the same was concurred in;

And the said bill was ordered to a third reading.

On motion of Mr. Horn,

The rules were suspended, and

No. 17 (A.) A bill for a State road from Black River to the Shaurette Mills on the Wisconsin River;

Was read a third time and passed.

Mr. Horn moved to amend the title by striking out, all, and inserting,

"A bill to provide for the laying out of certain State roads therein named;

Which was agreed to,

And the title as amended was agreed to.

On motion of Mr. Cothren,

Senate adjourned until 10 o'clock on Monday morning.

MONDAY, February 5, 1849.

Prayer by the Rev. Mr. Penman.

The Journal of Saturday was read and corrected.

Mr. Smith presented the Memorial of the common council of the city of Milwaukee, praying for a repeal of the law establishing a municipal court for that city;

Which was referred to the committee on the Judiciary.

The President laid before the Senate a communication from the Secretary of State of the State of Iowa on the subject of a continuous Rail Raod from the Mississippi to Lake Michigan;

Which was, on motion of Mr. Cothren,

Laid on the table and ordered to be printed.

Mr. Horn offered the following resolution:

Resolved, By the Senate and Assembly, That the committees on the Judiciary of both houses shall act as a joint select committee to thoroughly investigate all matters in relation to the Milwaukee and Rock river canal and the actions of the former officers of the same, and report by bill or otherwise in what manner a settlement with said company, and the Register and Receiver of the canal lands, can be effected;

Which was adopted.

Mr. Horn offered the following resolution:

Resolved, That the majority and minority reports of the joint select committee on the county seat matter of Washington county, together with the bill as reported by said committee on the Judiciary, with instructions to investigate and give their opinions whether the seat of justice of said county is permanently and legally located at any point or place in the county after the expiration of the term of the temporary location at Port Washington; and if the committee find that such is the case, to report a bill under the provisions of the constitution on removal of county seat, making Cedarburg the point to be voted for on removal, at the next town election. But if no point or place in the county is the seat of justice, as above mentioned, then to report the bill as it came from the joint committee back to the Senate for further action.

Also to give their opinion whether the county seat can be located permanently by this legislature as provided in the Bill;

Which was adopted, and the documents so referred.

Mr. Murphy from the committee on claims, to whom the subject had been referred, reported back to Senate, without amendment,

No. 19 (A.) A bill to appropriate to William H. Sullivan the sum therein named;

And recommended that the said bill do pass.

Mr. Williams from the joint select committee on report of the Revisers, reported

No. 43, (S.) A bill relating to penalties for violating election laws;

Which was read a first and second times.

Mr. Kinney from the committee on claims, to whom the subject had been referred, reported

No. 44, (S.) A bill to appropriate the several sums therein named;

Which was read a first and second times; and printing dispensed with.

Mr. Boyd from the committee on enrolled bills reported as correctly enrolled,

No. 5, (S.) Memorial to Congress in relation to the establishment of a Marine Hospital on Rock Island;

No. 17, (S.) A bill to pay Messrs. Hale and Chapman the sum therein mentioned.

The following bill,

No. 16 (A.) A bill declaring certain roads in the town of Shields, lawful highways,

Was read a third time, passed and title agreed to.

On motion of Mr. Kinney,

Rules were suspended in regard to bill No. 43, (S.)

And Senate resolved itself into a committee of the whole on

No. 43, (S.) A bill relating to penalties for violating election laws;

Mr. Sprague in the chair.

After some time spent therein the committee rose and by their chairman reported back the said bill with amendments.

And the question being on concurring in said amendments,

They were concurred in.

And said bill No. 43, (S.) was ordered to be engrossed and read a third time.

On motion of Mr. Kinney,

Senate resolved itself into a committee of the whole on the general file of bills;

Mr. Botkin in the chair.

After some time spent therein, the committee rose and by their chairman reported

No. 7, (S.) Joint resolutions relative to a proposed amendment to the constitution of the United State concerning the election of Senators in Congress;

No. 30, (S.) A bill to authorize school district No. seven in the town of Hustisford, Dodge county, to levy a tax to build a school house;

No. 34, (S.) A bill to constitute certain members of the Milwaukee cemetery association;

And,

No. 39, (S.) A bill to regulate the time of holding courts in the second and third circuits of Wisconsin,

Without amendments; and

No. 27, (S.) A bill to regulate the lien of mechanics on personal property;

No. 37, (S.) A bill to amend an act entitled "an act to provide for the improvement of the Fox and Wisconsin Rivers, and connecting the same by a canal, approved August 8, 1848;"

And,

No. 42, (S.) A bill to provide for the payment of the Heirs of the late Thomas P. Burnett, deceased, for reporting the decisions of the Supreme Court of the Territory of Wisconsin;

With amendments.

And the committee of the whole ask leave to sit again;

Which was granted.

A message from the Assembly by their chief clerk:

Mr. President—

I am directed to inform you that the Assembly have concurred in the passage of

No. 10, (S.) Resolutions relative to the business of the legislature at its present session;

Without amendment.

Also, have passed

No. 4, (A.) Joint resolutions relative to judges salary;

In which the concurrence of the Senate is requested.

On motion of Mr. Fisher,

No. 35, (S.) A bill to authorize H. S. Allen, Stover Rines, Moses Rines, and their associates to construct and maintain a Boom in the Chippewa river in the county of Chippewa;

Was taken from the General file and referred to the committee on incorporations.

On motion of Mr. Chase,

No. 7, (S.) Joint resolutions relative to a proposed amendment to the constitution of the United States concerning the election of Senators in Congress,

Was laid on the table.

On motion of Mr. Kinney,

No. 27, (S.) A bill to regulate the lien of mechanics on personal property,

Was referred to the committee on the Judiciary.

Nor 30, (S.) A bill to authorize school district No. seven in the town of Hustisford Dodge county to levy a tax to build a school house;

And,

No. 34, (S.) A bill to constitute certain members of the Milwaukee cemetery association,

Were severally ordered to be engrossed and read a third time.

On motion of Mr. Murphy.

No. 38, (S.) A bill to establish the county seat of La Fayette county,

Was laid on the table.

On motion of Mr. Botkin,

No. 39, (S.) A bill to regulate the time of holding courts in the second and third judicial districts,

Was laid on the table.

The amendments to

No. 42, [S.] A bill to provide for the payment of the heirs of the late Thomas P. Burnett, deceased, for reporting the decisions of the Supreme Court of the Territory of Wisconsin,

Were concurred in.

And said bill No. 42, [S.] was ordered to be engrossed and read a third time.

On motion of Mr. Chase,

No. 37, (S.) A bill to amend an act entitled "an act to provide for the improvement of the Fox and Wisconsin rivers and connecting the same by a canal," approved August 8, 1848,

Was laid on the table.

The message of the Assembly was taken up, and the following resolution,

No. 4, [A.] *Resolved*, By the Senate and Assembly, That the Treasurer of this State be instructed to pay to judges of the Supreme Court, immediately after the passage of this resolution, their quarter yearly salary for the present quarter, which would end on the 31st day of March next, and which by law would not be due until the end of the quarter,

Was read a first and second times; and

And on motion of Mr. Smith,

The consideration of said resolution was postponed until this afternoon.

On motion of Mr. Cothren,

Senate adjourned until 3 o'clock this afternoon.

7

SAME DAY, 3 O'CLOCK, P. M.

Mr. Fisher from the committee on engrossed bills reported as correctly engrossed,

No. 30, [S.) A bill to authorize School District number seven in the town of Hustisford, Dodge county, to levy a tax to build a School House;

No. 34 (S.) A bill to constitute certain persons members of the Cemetary Association.

No. 42 (S.) A bill to provide for the payment of the heirs of the late Thomas P. Burnett, deceased, for reporting the decisions of the Supreme Court of the Territory of Wisconsin; and

No. 43 (S.) A bill relating to penalties for violating election laws;

And said bills, to wit:

No. 30 (S.) No. 34 (S.) and No. 43 (S.) were severally read a third time, passed and their titles agreed to.

Bill No. 42 (S.) A bill to provide for the payment of the heirs of the late Thomas P. Burnett, deceased, for reporting the decisions of the Supreme Court of the Territory of Wisconsin;

Was read a third time and passed,

And the ayes and noes being called,

Those who voted in the affirmative, were

Messrs. Boyd, Chase, Cothren, Dennis, Fisher, Goodell, Horn, Merrell Murphy, Smith, Sprague and Williams—12.

Those who voted in the negative, were

Messrs. Kinney and Sholes—2.

And the title was agreed to.

On motion of Mr. Kinney,

The following Resolution:

No. 4 [A.] Resolution relative to Judge's salary;

Was taken up, and was non-concurred in.

The ayes and noes being called for,

Those who voted in the affirmative, were

Messrs. Botkin, Cothren, Dennis, Horn, Lakin, Merrell, Murphy and Williams—8.

Those who voted in the negative, were

Messrs. Boyd, Chase, Fisher, Goodell, Kinney, Sholes, Smith and Sprague—8.

A message from the Assembly by their chief clerk:

Mr. President—

I am directed to inform you that the Assembly have concurred in the amendments of the Senate to,

No. 17 (A.) A bill for a state road from Rlack Biver, to the Shaurette mills, on the Wisconsin river; and,

No. 26 [A.] A bill to extend the time for collecting and returning taxes in the town of Taycheedah;

And have non-concurred in the adoption of the following Resolution:

Resolved, by the Senate and Assembly, That the committee on the Judiciary of both houses shall act as a joint select committee to thoroughly investigate all matters in relation to the Milwaukee and Rock River Canal, and the actions of the former officers of the same, and report by bill or otherwise, in what manner a settlement with the said company, and the register and receiver of the canal land can be effected.

The Assembly have also passed,

No. 36 [A.] A bill to authorize the construction of a dam across the Milwaukee River;

No. 37 [A.] A bill to authorize the construction of a dam across Rock River;

No. 38 [A.] A bill to authorize the city of Racine to aid in the construction of a plank road; and,

Mo. 41 [A.] A bill to change the name of Lucy Ann Brown Leland to Lucy Ann Brown, and that the same be made heir at law of Benjamin Brown;

In which the concurrence of the Senate is requested.

I am also directed to present for your signature,

"An act to pay Messrs. Hale and Chapman the sum therein mentioned:"

"Memorial to Congress in relation to the establishment of a Marine Hospital on Rock Island;"

Which have been signed by the Speaker of the Assembly.

The following communication was received from the Governor

To the Senate and Assembly:

At the last session of the Legislature, the officer then in charge of the public property, having been prohibited by law from creating any debt or liability against the State, and that care not being taken of such property as the public interest required, and there being no one to prepare the legislative halls for your reception, I provided for the performance of these duties, and in doing so have incurred some expense on the part of the State. The course pursued, I trust, will meet with your approval and the necessary appropriations made to discharge these liabilities.

The accompanying accounts show the extent of these expenses. Many of the items have been furnished during your present session for the use and by the direction of the Legislature.

The accounts presented are as follows:

Dean & Co., account to February 4th, 1849,	$137 62
Seymour & Varney's account to February 1st, 1849,	301 11
James Helpin's account to January 10th, 1849,	85 08
Timothy Robertson's account to January 1st, 1849,	52 00
Henry C. Parker's account to December 28th, 1848,	40 50
J. T. Wilson's account to December 28th, 1848,	20 00
Thomas Dunn's account to January 6th, 1849,	1 50

All of which is submitted for your action.

NELSON DEWEY.

Executive Department,
Madison, February 5th, 1849.

On motion of Mr. Goodell,

The said communication and accompanying documents were referred to the committee on claims.

Mr. Horn, on leave, introduced

No. 45, (S.) A bill to amend an act entitled "an act for the payment of the salary of State officers;"

Which was read a first and second times.

On motion of Mr. Horn,

All rules in relation to this bill were suspended, and said bill No. 45, (S.) was ordered to be read a third time now, and said bill,

No. 45, [S.] A bill to amend an act entitled "an act for the payment of the salary of State officers;"

Was read a third time and passed.

And the ayes and noes being called for,

Those who voted in the affirmative, were

Messrs. Botkin, Boyd, Chase, Cothren, Dennis, Fisher, Goodell, Horn, Kinney, Lakin, Merrell, Murphy, Sholes, Smith, Sprague and Williams—16.

None in the negative.

Mr. Botkin, on leave, introduced bill

No. 46, [S.] A bill for an act to extend the time for collecting tax in the town of Windsor, Dane county;

Which was read a first and second time, and printing dispensed with.

The message from the Assembly was taken up, and

No. 41, [A.] A bill to change the name of Lucy Ann Brown Leland to Lucy Ann Brown, and that the same be made the Heir at-law of Benjamin Brown;

Was read a first and second time; and

On motion of Mr. Chase,

Was referred to the committee on internal improvement.

No. 37, [A.] A bill to authorize the construction of a dam across Rock River,

Was read a first and second times; and

On motion of Mr. Kinney,

Was referred to the committee on incorporations.

No. 36, [A.] A bill to authorize the construction of a dam across Milwaukee River,

Was read a first and second times; and

On motion of Mr. Chase,

Was referred to the committee on roads and bridges.

No. 38, [A.] A bill to authorize the city of Racine to aid in the construction of a Plank road,

Was read a first and second times; and

On motion of Mr. Kinney,

Was referred to the committee on roads and bridges.

Mr. Horn offered the following resolution:

Resolved, That the committee on the Judiciary be instructed to investigate all the matters in relation to the Milwaukee and Rock River canal, and the action of the former officers of the same, and report by bill or otherwise in what manner a settlement with the said company and the Register and Receiver of the canal lands can be effected;

Which was adopted.

On motion of Mr. Chase,

No. 37, [S.] A bill to amend an act entitled "an act to provide for the improvement of the Fox and Wisconsin rivers and connecting the same by a canal,

Was taken up;

And the question being on concurring in the amendments made in committee of the whole,

They were concurred in.

And the ayes and noes being called for,

Those who voted in the affirmative, were

Messrs. Botkin, Boyd, Cothren, Dennis, Kinney, Lakin, Merrell, Murphy, Sholes, Smith, Sprague and Williams—12.

Those who voted in the negative, were

Messrs. Chase, Fisher, Goodell and Horn—4.

Mr. Boyd from the committee on enrolled bills reported as follows:

The committee on enrolled bills would respectfully report that they have this day presented to the Governor for his approval,

"A memorial to Congress in relation to the establishment of a Marine Hospital on Rock Island;"

And,

"An act to pay Messrs. Hale and Chapman the sum therein mentioned.

On motion of Mr. Kinney

To recommit to the committee of the whole, bill

No. 37 [S.] A bill to amend an act entitled an act to provide for the improvement of the Fox and Wisconsin Rivers, and connecting tho same by a canal,

It was agreed to; and,

On motion of Mr. Horn,

Senate resolved itself into a committee of the whole on said bill No. 37 [S.];

Mr. Williams in the chair.

After some time spent therein, the committee rose, and by their chairman reported said bill back to the Senate with amendments,

And the amendments were concurred in, and

No. 37 [S.] A bill to amend an act entitled an act to provide for the improvement of the Fox and Wisconsin Rivers, and connecting the same by a canal;

Was ordered to be engrossed and read a third time.

Executive Department,
Madison, Feb. 5, 1849.

To the Senate—

I have this day approved, signed and deposited in the office of the Secretary of State,

"An act to pay Messrs. Hale and Chapman the sum therein named;" and,

"Memorial to Congress in relation to the establishment of a Marine Hospital on Rock Island."

NELSON DEWEY.

A message from the Assembly by their chief clerk:

Mr. President—

I am dieected to inform you that the Assembly have concurred in the passage of

No. 42 [S.] A bill to provide for the payment of the heirs of the late Thomas P. Burnett, deceased, for reporting the decisions of the Supreme Court of the Territory of Wisconsin; and

No. 45 [S.] A bill to amend an act, entitled an act for the payment of the salary of State officers;

Without amendments.

On motion of Mr. Horn,

Senate adjourned until 10 o'clock to-morrow morning.

TUESDAY, February 6, 1849.

Prayer by the Rev. Mr. Read.

On motion of Mr. Kinney,

The reading of the Journal of yesterday was dispensed with.

Mr. Botkin presented the account of P. W. Matts against the State;

Which was referred to the committee on claims.

Mr. Murphy offered the following resolution:

Resolved, By the Senate, [the Assembly concurring,] That bill No. 38, [S.] a bill to establish the county seat of La Fayette county, be referred to a joint select committee consisting of the members of both houses of the legislature from La Fayette county;

Which was adopted.

Mr. Lakin from the committee on the Judiciary to whom the subject had been referred, reported back without amendment,

No. 22 (A.) A bill to legalize the proceedings of a special town meeting in the town of Calumet;

And recommend its passage.

Mr. Lakin from the committee on education and school lands to whom the subject had been referred, reported back without amendment,

No. 23 (A.) A bill in relation to school district No. 11 in the town of Waukesha.

Mr. Lakin from the committee on the judiciary, reported

No. 47, (S.) A bill to provide for the publication of legal decisions;

Which was read a first and second times.

Mr. Chase from the committee on the judiciary, reported

No. 49, (S.) A bill to repeal an act entitled "an act to establish a municipal court of the city of Milwaukee and all acts supplementary thereto;

Which was read a first and second times, and printing dispensed with.

Mr. Williams from the joint select committee on report of Revisers, reported

No. 48, [S.] A bill in relation to State officers;

Which was read a first and second times.

Mr. Horn, on leave, introduced

No. 50, [S.] A bill prescribing certain duties to be performed by the State Treasurer;

Which was read a first and second times and printing dispensed with, and referred to the committee on claims.

Mr. Botkin from the committee on internal improvement, to whom the subject had been referred, made the following

REPORT:

The committee on internal improvements, to whom was referred Assembly bill No. 41, a bill to change the name of a lady, &c., have had the subject under consideration, and have instructed me to report, that they have no doubt that the object of referring this bill to the committee on internal improvements was that the Hon. Chairman of that committee might give the subject a thorough investigation and decide as to the propriety and necessity of the Lady changing her name.

That there is no impropriety in any Lady changing her name with or without legislative action whenever they can get a favorable opportunity to do so.

Therefore recommend the passage of the bill.

Which report was accepted and the committee discharged.

Mr. Fisher from the committee on roads and bridges to whom the subject had been referred, reported back without amendment,

No. 40, (S.) A bill to vacate a certain street in the village of Cedarburg.

Mr. Horn from the committee on roads and bridges, reported back

No. 38, (A.) A bill to authorize the city of Racine to aid in the construction of a plank road,

With an amendment.

And said bill No. 38, (A.) was read a second time.

Also, report back,

No. 32 (A.) A bill to declare the Oconto River, a navigable stream.

No. 33 (A.) A bill to authorize William H. Morse to keep and maintain Ferries across the St. Croix and Mississippi Rivers; and

No. 36 (A.) A bill to authorize the construction of a dam across the Milwaukee River;

Without amendments.

The chief clerk of the Senate, reported as follows:

Mr. President—

In conformity with the Resolution on the subject I herewith present an abstract procured from the Treasury Office, of the number of miles that each member of the Senate and Assembly claimed to have traveled, and whereupon he has received pay.

W. R. SMITH,
Chief clerk of Senate.

Which, on motion of Mr. Chase,

Was referred to the committee on Legislative expenditures.

Mr. Cothren from the committee on the Judiciary, to whom was referred the petition of the board of Supervisors of Rock county, and accompanying bill,

No. 12 (A.) A bill to vacate part of the town plat of the village of Janesville, in Rock county;

REPORTS,

That they are of the opinion upon examination, that the Petitioners have as full a remedy in the courts of their county as they could have under Legislative action; that the committee deprecate the idea of Legislative interference in every slight and trivial matter that may arise, where parties concerned have a full remedy in the legal tribunals of the country, and that the proceedings of a Legislative body should never be embarrassed by private acts, unless in cases where the existing laws or the want of law would work great injustice.

The committee recommend that the petition and bill be laid upon the table.

M. M. COTHREN,
Chairman of Committee.

Which report was accepted, and said bill No. 12 (A.) laid on the table.

On motion of Mr. Williams, and under rule on the subject, Senate resolved itself into a committee of the whole on

No. 48 (S.) A bill in relation to State Affairs;

Mr. Chase in the chair.

After some time spent therein the committee rose and by their chairman reported progress, and asked leave to sit again;

Which leave was granted.

And on motion of Mr. Cothren,

Said bill No. 48 (S.) was referred to a select committee consisting of Messrs. Cothren, Chase and Botkin.

Mr. Boyd, from the committee on enrolled bills, made report as follows:

The committee on enrolled bills would report

No. 42, [S.] A bill to provide for the payment of the heirs of the late Thomas P. Burnett, deceased, for reporting the decisions of the Supreme Court of the Territory of Wisconsin;

No. 45. (S.) A bill to amend an act entitled an act for the payment of the salary of State officers;

No. 10, (S.) Resolutions relative to the business of the legislature at its present session;

No. 2 (A.) A bill to authorize the Presbyterian church in Platteville, Grant county to change its name and form of Government;

No. 16 (A.) A bill declaring certain roads in the Town of Shields, lawful highways;

No. 17 (A.) A bill to provide for the laying out of certain state roads therein named;

No. 26 (A.) A bill to extend the time for collecting and returning taxes in the town of Taycheeda, in the county of Fond du Lac;

As correctly enrolled,

JOHN W. BOYD.
Chairman.

A message from the Assembly by their chief clerk:

Mr. President—

I am directed to present for your signature, "An act to amend an act entitled "an act for the payment of the salary of State officers;"

Which has been signed by the speaker of the Assembly.

Mr. Smith, on leave, presented the memorial of the President and Directors of the Milwaukee Mutual fire Insurance Company praying for the passage of an act supplementary to their charter;

Which was referred to the committee on incorporations.

A message from the Assembly by their chief clerk:

Mr. President—

I am directed to present for your signature,

"Resolutions in relation to the business of the legislature at its present session;"

"An Act to provide for the payment of the heirs of the late Thomas P. Burnett, deceased, for reporting the decisions of the Supreme Court of the Territory of Wisconsin;"

"An act to authorize the Presbyterian church in Platteville, Grant county to change its name and form of Government;"

"An act to provide for the laying out of certain State roads therein named;"

"An act to extend the time for collecting and returning taxes in the town of Taycheedah in the county of Fond du Lac;"

And,

"An act declaring certain roads in the town of Shields lawful highways;"

Which have been signed by the Speaker of the Assembly.

On motion of Mr. Botkin,

All rules on this subject were suspended, and

No. 46, (S.) A bill for an act to extend the time for collecting tax in the town of Windsor, Dane county,

Was taken from the general file and ordered to a third reading, and the said bill No. 46, (S.) was read a third time, passed, and the title agreed to.

Mr. Chase offered the following resolution:

Resolved, By the Senate and Assembly, That the Secretary of State be authorized to procure the immediate publication of all general laws passed or that may be passed at the present session, in some news paper printed in Madison;

Which was read first and second times.

On motion of Mr. Cothren,

Senate adjourned until ten o'clock to-morrow morning.

WEDNESDAY, February 7, 1849.

Prayer by the Rev. Mr. Penman.

The Journal of yesterday was read and corrected.

Mr. Boyd from the committee on enrolled bills reported as follows:

The committee on enrolled bills would report that they did on yesterday present to the Governor for his approval,

"An act to provide for the payment of the heirs of the late Thomas P. Burnett, deceased, for reporting the decisions of the Supreme Court of the Territory of Wisconsin;"

"Resolutions in relation to the business of the legislature at its present session;"

"An act to extend the time for collecting and returning taxes in the town of Taycheeda, in the county of Fond du Lac;"

"An act to provide for laying out certain State roads therein named;"

"An act to authorize the Presbyterian church in Platteville, Grant county, to change its name and form of Government;"

"An act declaring certain roads in the town of Shields to be lawful highways;"

"An act to amend an act for the payment of the salary of State officers."

JOHN W. BOYD,
Chairman.

Mr. Horn presented the account of Ernest F. Herzberg against the State;

Which was referred to the committee on claims.

Mr. Cothren presented the account of John Catlin;

Also the account of Isaac H. Palmer against the late Territory of Wisconsin, on legislative certificates;

Which were severally referred to the committee on legislative expenditures.

Mr. Horn from the committee on university and school lands, to whom the bill had been referred, reported back without amendment,

No. 4, (S.) A bill to amend an act to provide for the appraisal and subdivision of the school and university lands, approved August 12, 1848,

And recommend its passage.

On motion of Mr. Smith,

The following resolution was taken up:

Resolved, By the Senate and Assembly, That hereafter no bills, joint resolutions or memorials shall be printed unless specially ordered by the House in which it is introduced or shall have been ordered by the joint select committee on printing, to whom such bill, joint resolution or memorial may have been referred;

Which was considered and adopted.

And the ayes and noes being called on said resolution,

Those who voted in the affirmative, were

Messrs. Boyd, Chase, Cothren, Dennis, Fisher, Gardner, Goodell, Kinney, Lakin, Merrell, Murphy, Sholes, Smith, Sprague and Williams—15.

Those who voted in the negative, were

Messrs. Botkin and Horn—2.

On motion of Mr. Goodell,

The following resolution was taken up;

Resolved, By the Senate and Assembly, That no more newspapers be taken by members of this legislature at the expense of the State.

And the same being considered, was,

On motion of Mr. Cothren,

Laid on the table.

Mr. Chase offered the following resolution:

Resolved, By the Senate and Assembly, That the Post Master at Madison be requested to send to the legislature the accoun t for the postage of the two Houses respectively up to February 7th inclusive;

Which was adopted.

A message from the Assembly by their chief clerk:

Mr. President—

I am directed to inform you that the Assembly have passed,

No. 42 (A.) A bill to change the boundary of the towns of Jefferson and Koskonong in the county of Jefferson;

No. 48 (A.) A bill to repeal an act to change the boundaries of the towns of Utica and Rushford, in the county of Winnebago;

No. 49 (A.) A bill to organize the town of Charleston, in Calumet county; and

No. 50 (A.) A bill to repeal an act to change the boundaries of the towns of Paris and Bristol, in the county of Racine;

In which the concurrence of the Senate is requested.

The Assembly have also concurred in the passage of,

No. 31 (S.) A bill relating to courts of record in this State;

Without amendment.

The President laid before the Senate a communication from the common council of the city of Milwaukee, on the subject of the Municipal Court of said city;

Which was,

On motion of Mr. Smith,

Referred to the committee on the Judiciary.

Mr. Lakin from the committee on Education and School lands, to whom the subject had been referred Reported,

No. (S.) A bill for the distribution of school moneys,

Which was read a first and second times.

Mr. Lakin from the committee on the Judiciary, to whom the bill had been referred,

Reported back,

No. 6 (S.) A bill to repeal an act in relation to mills and mill dams;

With an amendment,

And recommend the passage of the bill.

And said bill No. 6 (S.) was read a second time.

Mr. Lakin from the committee on the Judiciary, to whom the bill had been referred, Reported back,

No. 19 (S.) A bill to amend an act of the revised Statutes entitled an act to provide for the punishment of offences against the lives and persons of individuals;

And recommend that said bill No. 19 (S.) be indefinitely postponed.

Mr. Chase from the committee on the Judiciary, to whom the subject had been referred,

Reported back,

No. 27, (S.) A bill to regulate the lien of mechanics on personal property;

And recommend that said bill No. 27 (S.) lie on the table,

Which recommendation was adopted.

Mr. Sholes from the committee on public printing to whom the bill had been referred,

Reported back,

No. 3 (A.) Joint Resolution relating to the printing of the laws;

With an amendment;

And said bill No. 3 (A.) was read a second time.

Mr. Botkin from the committee on State Affairs, to whom the subject had been referred,

Reported back,

No. 2 (A.) Joint Resolution relative to manuscript maps;

With amendments;

And said Joint Resolution No. 2 (A.) was read a second time.

On motion of Mr. Williams,

The Report of the committee on Incorporations on the subject of the petition of the board of Supervisors of Rock county, to vacate certain parts of the village of Janesville;

Was ordered to be printed on the Journal, as follows:

The committee on Incorporations to whom was refered the "petition of the board of Supervisors of Rock County, asking the Legislature to vacate certain parts of the village of Janesville," together with bill No. 12 (A.) to vacate such parts of said village, in accordance with the prayer of the petitioners, have instructed me to

REPORT,

That they have had the subject referred to them under consideration, and have experienced some difficulty in determining the proper course to be persued by the Senate. The petition referred to your committee, furnishes an expression of the wishes of the Board of Supervisors of Rock county, but of the will and wishes of those immediately interested, and whose rights may be infringed by granting the prayer of the petitioners, your committee have no means of Judging. Without expressing any opinion, then, with reference to the justice or injustice of the subject matter of the petition.; the propriety of Legislating upon subjects purely local in their character, at least without a full expression of the wishes of all concerned, is very much doubted by your committee. Petitions for local objects can be extensively circulated in a secret manner, and signatures obtained with great facility, while those perhaps who are most deeply interested in the matter, are entirely ignorant of any movements upon the subject. Petitions of County or city Boards are oftentimes entitled to as little consideration.

The members of the board from the particular town or ward interested in the accomplishment of a local object, presents the matter to the board in its most favorable aspect, and urges the importance of endeavoring to secure its success.

Members of the board from other towns or wards, consider the measure one in which they are not particularly interested, and leaving the matter entirely with the local members, are induced to unite with him in the prayer of the petition. Or perhaps the petition may be proper in itself, the county or city, as such, for which the board is acting, may be interested in the accomplishment of the objects proposed by the petition, while individuals might be greatly injured thereby.

Upon these ex-parte petitions the legislature is generally called upon to act, and not unfrequently before those who are to be most seriously affected by such action, have any knowledge of the proceedings, or have had an opportunity of being heard upon the subject. On local questions the legislature is seldom in possession of such an expression of the will and wishes of those interested as to enable its members to act understandingly; and therefore local legislation is often unjust and oppressive in its operation.

Those that consider themselves aggrieved thereby, send in their petitions from every direction; and the consequence is, that the door of legislation is thrown wide open, and the time of the legislature continually occupied in enacting and repealing laws of this character. Your committee are therefore of the opinion that where a certain and effectual remedy is given by existing laws, the legislature, by refraining from any action upon the subject, should avoid all responsibility—and where no such remedy is given, that all action should be delayed until all who are to be affected thereby have been informed upon the subject, and have had an opportunity of expressing their wishes. By a reference to the statutes of Wisconsin, page 159, it will be seen that "an act to provide for recording town plats," a law now in full force, makes specific and ample provisions for all cases like the one under consideration. Sections 12, 13 & 14, are as follows:

SEC. 12. The District Courts are hereby authorized and empowered on application made by the proprietor or proprietors of any town within their proper county, to alter or vacate the same or any part thereof.

SEC. 13. If any proprietor or proprietors of a town shall be desirous of altering or vacating the same or any part thereof, such proprietor or preprietors shall give notice in writing of any such intended application, in at least two of the most public places in the county wherein such town may be situated, and insert a copy thereof in a newspaper printed or in circulation in said county at least sixty days prior to the sitting of the Court to which he or they intend to make such application.

SEC. 14. If such applicant or applicants shall produce to said court satisfactory evidence, that the notice required by the preceeding section of this act has been given, and that all persons owning any lot or part thereof in said town, have agreed that the whole or part thereof shall be alterded or vacated; the court shall proceed to alter or vacate said town or any part thereof, and order their proeedings therein to be recorded by their clerk with the records of said court. Provided that the vacating of any town plat or any part of a town plat, shall not vacate any part of a territorial or county road.

As a judicial tribunal, setting in the immediate county and village, and possessing full *jurisdiction over the subject, would* be more competent to judge of the justice and propriety of granting the prayer of the petitioners, than this legislature can be, your committee would report the bill back to the Senate, and recommend that the petitioners accomplish the object proposed by the bill, by applying to the circuit court of Rock county.—All of which is respectfully submitied.

MYRON B. WILLIAMS,
Ch'n. com. on Incorporations.

Mr. Fisher from the committee on engrossed bills reported as correctly engrossed,

No. 37, (S.) A bill to amend an act entitled "an act to provide for the improvement of the Fox and Wisconsin rivers and connecting the same by a canal," approved August 8, 1848.

Mr. Sprague from the committee on legislative expenditures, to whom the subject had been referred, reported as follows:

The committee on legislative expenditures to whom was referred the abstract procured from the Treasurer's office of the number of miles that each member of the Senate and Assembly, claim to have travelled, beg leave to

REPORT:

That they have had the same under consideration and find that the number of miles charged by each member is correct, or as nearly so as your committee have been able to ascertain.

FREDERICK A. SPRAGUE,
JAMES FISHER.

The following communications were received from the Governor:

To the Senate:

"An act entitled 'an act to provide for the payment of commissioners appointed to locate the State lands,'"

Was, on the 1st inst., approved by me and deposited in the office of the Secretary of State.

NELSON DEWEY.

Executive Office,
February 5th, 1849.

To the Senate:

I have, on this day, approved, signed and deposited in the office of the Secretary of State, acts of the following titles:

"An act to amend an act entitled 'an act for the payment of the salary of State officers;'"

"An act to provide for the payment of the heirs of the late Thomas P. Burnett, deceased, for reporting the decisions of the Supreme Court of the Territory of Wisconsin;"

"Resolutions in relation to the business of the legislature at its present session."

NELSON DEWEY.

Executive Office,
February 6th, 1849.

The message from the Assembly was taken up, and the following bills,

No. 42, (A.) A bill to change the boundary of the towns of Jefferson and Koshkonong in the county of Jefferson;

No. 48, (A.) A bill to repeal an act to change the boundaries of the towns of Utica and Rushford in the county of Winnebago;

No. 49, (A.) A bill to organize the town of Charlestown in Calumet county;

No. 50, (A.) A bill to repeal an act to change the boundaries of the towns of Paris and Bristol in Racine county;

Were severally read a first and second times, and were severally referred to the committee on town and county organization.

On motion of Mr. Fisher,

No. 37, [S.] A bill to amend an act entitled "an act to provide for the improvement of the Fox and Wisconsin rivers and connecting the same by a canal," approved August 8th, 1848,

Was laid on the table.

On motion of Mr. Gardner,

Senate resolved itself into a committee of the whole on the general file of bills;

Mr. Botkin in the chair.

After some time spent therein the committee rose and by their chairman reported progress on

No. 36, (S.) A bill for an act entitled "an act to provide for the election of a State Librarian and to define his powers and duties;

And asked leave to sit again;

Which was granted.

Also reported

No. 28, (S.) A bill to amend an act entitled "an act to exempt from forced sale on final process the property therein named," approved Aug. 10, 1848;

And,

No. 26, (S.) A bill relating to Justices of the Peace and their Jurisdiction,

Without amendment;

And asked leave to sit again on the general file;

Which was granted.

On motion of Mr. Sholes,

No. 26, (S.) A bill relating to Justices of the Peace and their jurisdiction,

Was laid on the table.

No. 28, (S.) A bill to amend an act entitled "an act to exempt from forced sale on final process the property therein named," approved Aug. 10, 1848,

Was ordered to be engrossed and read a third time.

And on this question the ayes and noes being called for,

Those who voted in the affirmative, were

Messrs. Botkin, Boyd, Chase, Gardner, Goodell, Kinney, Lakin, Merrell, Sholes and Williams—10.

Those who voted in the negative, were

Messrs. Cothren, Fisher, Murphy, Smith and Sprague—5.

On motion of Mr. Chase,

Senate adjourned until 3 o'clock this afternoon.

SAME DAY 3 O'CLOCK, P. M.

Mr. Lakin from the committee on education and school lands to whom had been referred

Resolution of the Board of Supervisors of Waukesha county in relation to the appraisal and sale of school lands in said county,

Reported that the object sought for will be accomplished in in the school bill.

Also, from same committee, to whom had been referred

The petition of the supervisors and other inhabitants of the town of Belgium concerning the teaching of the German language in their district schools; and

The petition of Henry Allen, Bostwick O'Connor and others, in relation to the petition of the supervisors, &c., of the town of Belgium, concerning the teaching of the German language in their district schools,

Reported that the object of the petitioners can be accomplish- the school bill.

Mr. Murphy from the committee on claims to whom had been ed in referred

No. 50, (S.) A bill prescribing certain duties to be performed by the State Treasurer,

Reported the bill back with a substitute as an amendment;

Which was read a second time.

Mr. Williams from the committee on incorporations to whom the subject had been referred, reported

No. 52, [S.] A bill supplementary to an act to incorporate the Milwaukee Mutual Fire Insurance company, approved Dec. 27, 1837; and an act to amend an act to incorporate the Milwaukee Mutual Fire Insurance company, approved Feb. 4, 1847;

Which was read a first and second times.

The President laid before the Senate,

The petition of E. Miller, of Magnolia, in Rock county, in relation to his pay for surveying school lands;

Which was referred to the committee on State affairs.

On motion of Mr. Gardner,

The Senate resolved itself into a committee of the whole on the bills in which progress had been made, and on the general file;

Mr. Sholes in the chair.

After some time spent therein, the committee rose and by their chairman reported

No. 36 (S.) A bill for an act entitled an act to provide for the election of a State Librarian, and to define his powers and duties;

And,

No. 50, [S.] A bill prescribing certain duties to be performed by the State Treasurer;

With amendments,

And reported progress on the general file of bills, and asked leave to sit again;

Which leave was granted.

The amendments to,

No. 36 (S.) A bill for an act entitled an act to provide for the election of a State Librarian and to define his powers and duties,

Were considered and concurred in,

And said bill No. 36 (S.) was, on motion of Mr. Dennis,

Referred to the select committee on bill in relation to State Officers.

The amendment to,

No. 50 [S.] A bill prescribing certain duties to be performed by the State Treasurer;

Was concurred in; and,

On motion of Mr. Kinney,

All rules were suspended in regard to said bill No. 50 [S.] and it was read a third time and passed—

And the ayes and noes being called for,

Those who voted in the affirmative, were

Messrs. Botkin, Boyd, Chase, Cothren, Dennis, Fisher, Gardner, Goodell, Kinney, Lakin, Merrell, Murphy and Sprague—13.

Those who voted in the negative, were

Messrs. Sholes, Smith, and Williams—3.

The title of the bill was agreed to.

Mr. Cothren asken leave of absence for Mr. Horn for a few days;

Which was granted.

Mr. Boyd from the committee on enrolled bills, reported as correctly enrolled,

No. 31 [S.] A bill relating to courts of record in this State.

On motion of Mr. Cothren,

Senate adjourned until 10 o'clock to-morrow morning.

THURSDAY, February 8, 1849.

Prayer by the Rev. Mr. Read.

On motion of Mr. Kinney,

The reading of the Journal of yesterday was dispensed with.

Mr. Murphy presented the petition of James H. Gentry, and others, lot holders in the town of Belmont, La Fayette county, in relation to the recording the town plat of said town, together with an accompanying bill,

Which were referred to the committee on the Judiciary.

Mr. Smith presented a resolution of the board of Supervisors of Milwaukee county on the subject of a Lunatic Assylum,

Which was referred to the committee on State affairs.

Mr. Chase offered the following Resolution:

Resolved, by the Senate and Assembly, That the State Printer be requested to send in his account for printing up to the date of Saturday last inclusive, accompanying the account with copies of the items of printed matter charged, and that he be also requested to furnish his account weekly during the balance of the session, accompanied with the printed copies as above—

Which was considered and adopted.

Mr. Botkin from the committee on privileges and elections to whom had been referred the petition of H. Eugene Eastman, contesting the seat of Hon. Lemuel Goodell, representative in Senate from the first Senatorial District of Wisconsin—

Reported as follows:

The committee of privileges and elections, to whom was referred the petition of H. Eugene Eastman contesting the seat of Hon. Lemuel Goodell, the now sitting member, as representative from the first Senatorial District in this State, together with the response of the said Goodell, and all other papers and evidences in relation to who is of right entitled to said seat in this body; have had the same under consideration, and having given the whole matter a close and patient investigation and having heard all the proofs of the parties, have instructed us to

REPORT,

That the committee are satisfied that under the provisions of the constitution, the seat now occupied by the said Lemuel Goodell, should by this body be declared vacant, and that your committee are also of the opinion that under the existing laws the said petitioner, H. Eugene Eastman, is not entitled to the seat so vacated.

Your committee would therefore respectfully recommend the passage of the following Resolution:

Resolved, by the Senate, That the seat on this floor now occupied by the Hon. Lemuel Goodell from the first Senatorial district of this State be and the same is hereby declared vacant.

A. BOTKIN.
J. B. SMITH.

Which Report was received and the committee discharged from the farther consideration of the subject.

On motion of Mr. Sholes,

The said Report, Resolution, and accompanying documents were referred to the committee on the Judiciary.

Mr. Fisher from the committee on Engrossed bills, reported as correctly engrossed,

No. 28 [S.] A bill to amend an act entitled an act to exempt from forced sale on final process, the property therein named, approved August 10, 1848.

Mr. Cothren from the select committee, to whom had been referred.

No. 48 (S.) A bill in relation to State Officers;

Reported back said bill with amendments,

And said bill No. 48 (S.) was read a second time.

Mr. President—

I am directed to inform you that the Assembly have concurred in the adoption of the following resolution, to wit:

Resolved, By the Senate and Assembly, That hereafter no bills, joint resolutions or memorials shall be printed unless specially ordered by the House in which it is introduced or shall have been ordered by the joint select committee on printing, to whom such bill, joint resolution or memorial may have been referred;

Resolved, By the Senate and Assembly, That the Post Master at Madison be requested to send to the legislature the account for the postage of the two Houses respectively up to February 7th inclusive;

The Assembly have also concurred in the passage of

No. 34 (S.) A bill to constitute certain persons members of the Milwaukee Cemetary Association,

Without amendment.

And have also concurred in the amendment of the Senate to resolutions relative to slavery and the slave trade.

I am also directed to present for your signature,

"An act relating to courts of record in this State;"

Which has been signed by the Speaker of the Assembly.

The Governor has informed the Assembly that he did on the 6th inst., approve, sign and deposite in the office of the Secretary of State, acts of the following titles:

"An act to authorize the Presbyterian church in Platteville, Grant county, to change its name and form of Government;"

"An act to extend the time for collecting and returning taxes in the town of Taycheeda, in the county of Fond du Lac;"

"An act declaring certain roads in the town of Shields to be lawful highways;" and

"An act to provide for laying out certain State roads therein named."

On motion of Mr. Chase,

The following resolution,

Resolved, That the printing of the daily slips be dispensed with,

Was taken up, and the same being under consideration, was

On motion of Mr. Dennis,

Laid on the table.

On motion of Mr. Kinney,

The rules were suspended, and the Senate resolved itself into a committee of the whole on

No. 48, [S.] A bill in relation to State officers.

After some time spent therein the committee rose and by their chairman reported back said bill No. 48, [S.] with sundry amendments.

And the question being on concurring in the amendments of the committee of the whole,

Mr. Smith moved further to amend as follows:

Amend Section 17, by inserting after the word "thereon" in the 25th line, the following—"and file the same in the Treasurer's office;"

Which was not agreed to.

And the ayes and noes being called for,

Those who voted in the affirmative, were

Messrs. Fisher, Gardner, Kinney, Norton, Smith and Williams—6.

Those who voted in the negative, were

Messrs. Botkin, Boyd, Chase, Cothren, Goodell, Lakin, Merrell, Murphy and Sholes—9.

And the question recurring on concurring in the amendments,

They were concurred in.

And said bill No. 48, (S.) was ordered to be engrossed and read a third time.

Mr. Boyd from the committee on enrolled bills reported as correctly enrolled,

No. 34, (S.) A bill to constitute certain members of the Milwaukee cemetery association;

And,

Resolutions relative to slavery and the slave trade.

On motion of Mr. Gardner,

Senate adjourned until 3 o'clock this afternoon.

SAME DAY, 3 O'CLOCK, P. M.

Mr. Fisher from the committee on roads and bridges to whom the subject had been referred, reported back without amendment

No. 31 (A.) A bill to authorize the construction of a bridge across Fox River;

And recommend its passage.

No. 28, (S.) A bill to amend an act entitled "an act to exempt from forced sale on final process the property therein named," approved Aug. 10, 1848,

Was read a third time, passed, and the title agreed to.

On motion of Mr. Gardner,

Senate resolved itself into a committee of the whole on the general file of bills;

Mr. Merrell in the chair.

After some time spent therein the committee rose and by their chairman reported

No. 3, (A.) Joint resolution relating to the printing of the laws;

No. 2, (A.) Joint resolution relative to manuscript maps;

No. 51, (S.) A bill for the distribution of school moneys;

No. 6, (S.) A bill to repeal an act in relation to mills and mill dams;

With amendments to each; and

No. 31, (A.) A bill to authorize the construction of a bridge across Fox River;

No. 49, (S.) A bill to repeal an act entitled 'an act entitled 'an act to establish a municipal court of the city of Milwaukee and all acts supplementary thereto;''

No. 44 (S.) A bill to appropriate the several sums therein named.

And,

No. 4, (S.) A bill to amend an act to provide for the appraisal and subdivision of the school and university lands, approved August 12, 1848,

Without amendments,

And reported progress on the general file of Bills, and asked leave to sit again,

Which was granted.

The amendments of the committee of the whole to bills No. 51 (S.) and No. 6 (S.) and joint resolutions No. 3 (A.) and No. 2 (A.) were severally concurred in ; and,

No. 51 [S.] and No. 6 [S.] were severally ordered to be engrossed and read a third time.

Joint Resolution No. 3 [A.] was ordered to a third reading.

No. 31 [A.] was ordered to a third reading.

No. 4 [S.,] No. 49 [S.] and No. 44 [S.] were severally ordered to be engrossed and read a third time.

Mr. Boyd from the committee on enrolled bills, reported as follows:

The committee on enrolled bills would report,

That they have this day presented to the Governor for his signature—

An act relating to courts of record in this State ;

Resolutions relative to Slavery and the Slave trade ;

An act to constitute certain persons members of the Milwaukee Cemetery Association.

JOHN W. BOYD, Ch'n.

Mr. Williams from the joint select committee on the report of the revisers, Reported

No. 53 (S.) A bill in relation to the resignation, vacancies and removals and of supplying vacancies ;

Which was read a first and second times.

On motion of Mr. Kinney,

The following resolution,

Resolved, by the Senate and Assembly, That no more newspapers be taken by members of the Legislature at the expense of the State ;

Was taken up, considered and adopted.

A message from the Assembly by their chief clerk :

Mr. President—

I am directed to inform you that the Assembly have concurred in the passage of

No. 30, [S.) A bill to authorize School District number seven in the town of Hustisford, Dodge county, to levy a tax to build a School House;

And,

No. 43 (S.) A bill relating to penalties for violating election laws;

With amendments to each.

And also have passed

No. 45, [A.] An act to appropriate to H. A. Tenney the sum therein named;

No. 46, [A.] A bill to appropropriate to Daniel Noble Johnson the sum therein named;

And,

No. 52, [A.] A bill for the re-appraisal of section numbered sixteen in the county of Waukesha;

In which the concurrence of the Senate is requested.

The Assembly have also concurred in the adoption of the following resolution, viz:

Resolved, by the Senate and Assembly, That the State Printer be requested to send in his account for printing up to the date of Saturday last inclusive, accompanying the account with copies of the items of printed matter charged, and that he be also requested to furnish his account weekly during the balance of the session, accompanied with the printed copies as above.

I am further directed to present for your signature,

"Joint resolutions relative to slavery and the slave trade;"

And

"An act to constitute certain persons members of the Milwaukee Cemetery Association;"

Which have been signed by the Speaker of the Assembly.

On motion of Mr. Kinney,

The message from the Assembly was taken up, and

No. 45, (A.) An act to appropriate to H. A. Tenney the sum therein named,

Was read a first and second times; and

On motion of Mr. Kinney,

Was referred to the committee on public printing.

No. 46, [A.] A bill to appropriate to Daniel Noble Johnson the sum therein named,

Was read a first and second times; and

On motion of Mr. Goodell,

Was referred to the committee on claims.

No. 52, [A.] A bill for the re-appraisal of sections numbered sixteen in the county of Waukesha,

Was read a first and second times; and

On motion of Mr. Murphy,

Was referred to the committee on education and school lands.

The amendments of the Assembly to

No. 30, (S.) A bill to authorize school district No. seven in the town of Hustisford, Dodge county to levy a tax to build a school house;

Were taken up and concurred in.

The amendments of the Assembly to

No. 43, (S.) A bill relating to penalties for violating election laws;

Were taken up and non-concurred in.

And the ayes and noes being called for,

Those who voted in the affirmative, were

Messrs. Botkin, Chase, Dennis, Goodell, Murphy and Williams—6.

Those who voted in the negative, were

Messrs. Boyd, Gardner, Kinney, Lakin, Merrell, Norton and Smith—7.

On motion of Mr. Goodell,

The Senate adjourned until to-morrow morning at 10 o'clock.

FRIDAY, February 9, 1849.

Prayer by the Rev. Mr. Penman.

On motion of Mr. Goodell,

The reading of the Journal of yesterday was dispensed with.

Mr. Kinney offered the following Resolution:

Resolved, That the morning hour of meeting of the Senate be nine o'clock, A. M. unless otherwise ordered.

And the same being under consideration,

Mr. Cothren moved to amend the same by adding,

And that the Senate hold but one session each day, which shall be from 9 o'clock A. M. to 1 P. M.,

Which was not agreed to.

And the question being on adopting the resolution—

It was not agreed to.

Mr. Kinney moved to reconsider the vote by which the amendments of Assembly to

No. 43, (S.) A bill relating to penalties for violating Election Laws.

Were non-concurred in,

Which was agreed to.

The Report of the committee on the Judiciary recommending the indefinite postponement of

No. 19, (S.) A bill to amend an act of the revised statutes entitled an act to provide for the punishment of offences against the lives and persons of individuals;

Was adopted.

The report of the committee on the Judiciary, recommending that bill

No. 27 (S.) A bill regulating the lien of Mechanics on personal property,

Was adopted,

And said bill No. 27 (S.) was laid on the table.

Mr. Fisher from the committee on engrossed bills, reported as correctly engrossed,

No. 4 (S.) A bill to amend an act to provide for the appraisal and subdivision of school and university lands, approved August 12, 1848.

No. 6 [S.] A bill to repeal an act in relation to mills and mill dams.

No. 44 [S.] A bill to appropriate the sums therein named.

No. 49, (S.) A bill to repeal an act entitled "an act to establish a municipal court of the city of Milwaukee and all acts supplementary thereto;

No. 51 [S.] A bill for the distribution of the school moneys.

A message from the Assembly by their chief clerk:

Mr. President—

I am directed to inform you that the Assembly have indefinitely postponed,

No. 50, (S.) A bill prescribing certain duties to be performed by the State Treasurer,

And have concurred in the pasage of,

No. 46, (S.) A bill for an act to extend the time for collecting tax in the town of Windsor, Dane county,

Without an amendment.

The following bills,

No. 31, [A.] A bill to authorize the construction of a bridge across Fox River;

No. 3, [A.] Joint resolution relative to the printing of the laws;

No. 4, [S.] A bill to amend an act to provide for the appraisal and subdivision of the school and university lands, approved August 12, 1848;

No. 49, [S.] A bill to repeal an act entitled "an act to establish a municipal court of the city of Milwaukee, and all acts supplementary thereto;

No. 51, [S.] A bill for the distribution of school moneys;

Were severally read a third time, passed, and the titles agreed to.

No. 6, [S.] A bill to repeal an act in relation to mills and mill dams,

Was read a third time, passed, and title agreed to.

And the ayes and noes being called for,

Those who voted in the affirmative, were

Messrs. Chase, Cothren, Dennis, Kinney, Lakin, Murphy, Sholes, Smith and Williams—9.

Those who voted in the negative, were

Messrs. Botkin, Fisher, Gardner, Goodell and Norton—5.

No. 44, [S.] A bill to appropriate the sums therein named,

Was read a third time, passed, and title agreed to.

And the ayes and noes being called,

Those who voted in the affirmative, were

Messrs. Botkin, Cothren, Dennis, Fisher, Gardner, Goodell, Kinney, Lakin, Merrell, Murphy, Norton and Smith—12.

Those who voted in the negative, were

Messrs. Chase and Williams—2.

The amendments of Assembly to

No. 43, [S.] A bill relating to penalties for violating election laws,

Were considered;

And Mr. Smith moved to amend the amendment in the second section as follows:

Strike out the word "meeting" after the words "district schools;"

Which was agreed to.

Mr. Smith moved to amend the amendment in the eleventh section as follows:

Add "and post up a copy of the same in some conspicuous place where such polls are opened or held;"

Which was agreed to.

And the several amendments were then concurred in.

On motion of Mr. Kinney,

The vote by which the amendment of the committee of the whole, to

No. 2, [A.] Joint resolution relative to manuscript maps,

In striking out all after the word "Resolved," was concurred in, was reconsidered;

And said resolution was laid on the table.

A message from the Assembly by their chief clerk:

Mr. President—

I am directed to inform you that the Assembly have re-considered the vote by which

No. 50, (S.) A bill prescribing certain duties to be performed by the State Treasurer,

Was indefinitely postponed, and have concurred in the passage of the same without amendment.

On motion of Mr. Kinney,

The Senate resolved itself into a committee of the whole on

No. 53, [S.] A bill in relation to the resignation, vacancies and removals, and of supplying vacancies.

Mr. Kinney in the chair.

After some time spent therein, the committee rose, and by their chairman reported said bill back without amendment, and,

On motion of Mr. Smith,

Said bill No. 53 [A.] was referred to the committee on State Affairs.

Mr. Cothren gave notice that he will on to-morrow or some future day ask leave to introduce a bill to amend an act entitled an act to prescribe the mode of proceeding in chancery.

Also, an act to prescribe certain duties of the board of public works, and to amend an act entitled an act to provide for the improvement of the Fox and Wisconsin Rivers and connecting the same by a canal.

Also, an act to organize inferior courts in the several counties in this State.

Mr. Williams from the committee on Incorporations,

Reported back to the Senate,

No. 34 (A.) A bill to vacate the town plat of the Town of Victory in the county of Dodge; and

No. 37 [A.] A bill to authorize the construction of a dam across Rock River,

Without amendments; and recommend that said bills be placed in the general file,

Which was received and adopted.

On motion of Mr. Kinney,

Senate adjourned unitl 9 o'clock to-morrow morning.

SATURDAY, February 10, 1849.

No quorum being present,

Mr. Kinney moved a call of the House.

And the roll being called,

Messrs. Chase, Dennis, Fisher, Lakin, Merrell, Norton and Sprague were reported absent.

On motion of Mr. Botkin,

Mr. Sprague was excused.

A quorum appearing in their seats,

On motion of Mr. Kinney,

Further proceedings in the call were dispensed with.

On motion of Mr. Cothren,

The reading of the Journal of yesterday was dispensed with.

Mr. Sholes presented the account of Edward H. Rudd against the State for engraving State and county Seals;

Which was referred to the committee on claims.

Mr. Kinney offered the following resolution:

Resolved, By the Senate and Assembly, That the joint committee on claims be increased by the addition to said committee of one in the Senate and two in the Assembly;

Which was adopted.

Mr. Cothren, on leave, introduced the following bills:

No. 54, (S.) An act to amend an act entitled "an act to prescribe the mode of proceeding in Chancery;

Which was read a first and second times, and ordered to be printed.

No. 55, (S.) An act to prescribe certain duties of the Board of Public Works, and to amend an act to provide for the improvement of the Fox and Wisconsin Rivers, and connecting the same by a canal, approved Aug. 8, 1848;

Which was read a first and second times, and ordered to be printed.

No. 56, (S.) An act to prescribe the terms of the Supreme Court, and to require the adoption of the rules of practice;

Which was read a first and second times.

Mr. Smith from the committee on enrolled bills, reported as correctly enrolled,

No. 30, (S.) A bill to authorize school district number seven in the town of Hustisford, Dodge county, to levy a tax to build a school house;

No. 46, (S.) A bill for an act to extend the time for collecting and paying over tax in the town of Windsor Dane county.

No. 50, (S.) A bill prescribing certain duties to be performed by the State Treasurer.

Mr. Merrell from the committee on engrossed bills, reported as correctly engrossed,

No. 48, (S.) A bill in relation to State officers.

Mr. Chase from the committee on the Judiciary to whom was referred the petition of James H. Gentry and others, lot holders in the town of Belmont, La Fayette county, reported as follows:

The committee on the Judiciary to whom was referred the petition of James H. Gentry and others and the bill accompanying the same, viz: "A bill to authorize the recording a plat of the town of Belmont, La Fayette county," have had the same under consideration, and have instructed me to report that, in their opinion, the bill referred to them would, if passed, be a greater injury to the original owners than benefit to the purchasers of lots in said town. The committee are of opinion the petitioners have an easy and plain remedy in the courts of the State without especial legislation.

Which report was received and adopted.

Mr. Lakin from the committee on the Judiciary to whom the same had been referred, reported back

No. 13, (A.) A bill to amend an act entitled "an act to prescribe the mode of proceeding in Chancery,"

Without amendment, and recommend its passage.

Mr. Lakin from the committee on education and school lands to whom was referred bill No. 52 (A.) A bill for the re-appraisal of section numbered sixteen, in the county of Waukesha,

REPORT,

That they have had said bill under consideration, and that they can see no necessity for the passage of the same. If the act passed at the last session of the Legislature, providing for the appraisal and subdivision of the School Lands, gave to any person an absolute right to purchase any of said lands at the appraised value; then there might be a necessity for passing this bill; said act gives no such right. Your committee are of opinion that when there shall be provisions made for the sale of the school lands, a minimum price may be fixed and all the objects sought to be accomplished by this bill may then be accomplished. Your committed recommend an indefinite postponement of the bill.

GEO. W. LAKIN, Ch'n.

Which report was received and adopted.

No. 48 (S.) A bill in relation to state officers;

Was read a third time and passed—

And the ayes and noes being called,

Those who voted in the affirmative, were

Messrs. Botkin, Chase, Cothren, Dennis, Fisher, Gardner, Goodell, Kinney, Lakin, Murphy, Norton, Sholes, Smith and Williams—14.

None in the negative.

The title was then agreed to.

Mr. Williams from the joint select committee on the report of the revisers,

Reported,

No. 57 [S.] A bill in relation to counties and county officers;

Which was read a first and second times.

On motion of Mr. Gardner,

And under the rule, Senate resolved itself into a committee of the whole on,

No. 57 (S.) A bill in relation to counties nnd county officers;

Mr. Gardner in the chair.

After some time spent therein, the committee rose and by their chairman reported progress, and asked leave to sit again;

Which was granted.

Mr. Lakin from the committee on Incorporations, to whom was referred,

No. 35, (S.) A bill to authorize H. S. Allen, Stover Rines Moses Rines, and their associates to construct and maintain a Boom in Chippewa river in the county of Chippewa;

Reported the bill back to the Senate without amendment and recommend its passage.

On motion of Mr. Norton,

Senate adjourned until half past two o'clock this afternoon.

SAME DAY ½ PAST 2 O'CLOCK, P. M.

On motion of Mr. Cothren,

Senate again resolved itself into a committee of the whole on No. 57 [S.] A bill in relation to counties and county officers.

Mr. Gardner in the chair.

After some time spent therein, the committee rose, and by their chairman reported progress, and asked leave to sit again;

Which was granted.

On motion of Mr. Lakin,

Senate resolved itself into a committee of the whole on,

No. 35 [S.] A bill to authorize H. S. Allen, Stover Rines, Moses Rines, and their associates to construct and maintain a Boom in Chippewa River, in the county of Chippewa;

After some time spent therein, the committee rose, and by their chairman reported back the bill without amendment.

Mr. Smith moved to amend section 8, by striking out "seven" and inserting "twenty;"

Which was agreed to.

On motion of Mr. Lakin,

Rules were suspended in regard to said bill No. 35 [S.,] and

No. 35 (S.) A bill to authorize H. S. Allen, Stover Rines, Moses Rines, and their associates to construct and maintain a Boom in Chippewa River, in the county of Chippewa;

Was read a third time and passed—

And the ayes and noes being called for:

Those who voted in the affirmative, were

Messrs. Botkin, Cothren, Dennis, Fisher, Gardner, Goodell, Kinney, Lakin, Murphy and Norton—10.

Those who voted in the negative, were

Messrs. Chase, Sholes and Smith—3.

The title was agreed to.

On motion of Mr. Norton,

The Senate adjourned until 10 o'clock on Monday morning.

MONDAY, February 12, 1849.

Prayer by the Rev. Mr. Lord.

The Journal of Saturday was read and corrected.

Mr. Smith presented the memorial of the Milwaukee and Rock River Canal Company on the subject of a final adjustment of their affairs, with the Territory and State;

Which was referred to the committee on Internal Improvements.

Mr. Lakin presented the proceedings of a Rail Road meeting held by the citizens of Grant county, asking for the construction of a rail road from the Mississippi to Milwaukee;

Which was referred to the committee on Internal Improvements.

Mr. Botkin offered the following resolution:

Resolved, That the use of this Hall be granted to Col. J. J. Speed, jr., agent for Morse's Electric Magnettic Telegraph for the purpose of delivering a free lecture on its use and the importance of its extension in Wisconsin, this evening;

Which was adopted.

Mr. Kinney, on leave, introduced

No. 58, (S.) A bill to appropriate the sum therein named;

Which was read a first and second times, and printing of the same dispensed with.

Mr. Lakin gave notice that he will on to-morrow or some future day, ask leave to introduce a bill to lay out a road from the West Platte mound, in La Fayette county, to Vineyard's mill in Grant county.

Mr. Goodell from the committee on Agriculture and Manufactures, to whom the bill had been referred, reported back without amendment,

No. 22, (S.) A bill to provide for the protection of Shade Trees, Hedges, and Fences in certain cases,

And recommend its passage.

Mr. Sholes presented the accounts of Beriah Brown and of Rhenodyne A. Bird against the State for printing;

Which were referred to the joint select committee on printing.

The President laid before Senate the following communication:

Post Office,
Madison, Feb. 10, 1849.

Sir: In pursuance of a resolution of the Hon. Senate rec'd this P. M., I would inform the Senate that the amount of postage for both houses of the legislature for 28 days session, up to and inclusive of Feb. 7, 1849, $695,29.

I have the honor to be,
Very respectfully, your ob't serv't,
D. HOLT, jr., Post Master.

Hon. J. E. Holmes,
President of the Senate.
Madison, Wis.

Which was, on motion of Mr. Chase, referred to the committee on legislative expenditures.

On motion of Mr. Kinney,

All rules were suspended in relation to bill

No. 58, (S.) A bill to appropriate the sum of money therein named;

And said bill was ordered to a third reading now.

And said bill being read a third time,

Mr. Botkin asked to amend the same, by unanimous consent, as follows: Add to the section,

"And that the further sum of ——— dollars be paid out of the State Treasury to Seymour and Varney, the amount of their account for candles, &c., furnished for the use of the legislature."

On motion of Mr. Kinney,

Said bill No. 58, (S.) together with the proposed amendment were committed to the committee on claims.

Mr. Smith from the committee on enrolled bills, reported as correctly enrolled.

No. 3 [A.] A bill to authorize the construction of a bridge across the Fox River.

Under rule,

The Senate resolved itself into a committee of the whole on bill

No. 57 [S.] A bill in relation to counties and county officers;

Mr. Norton in the chair.

After some time spent therein, the committee rose, and by their chairman reported progress, and asked leave to sit again,

Which was granted.

Mr. Horn on leave introduced,

No. 59 [S.] A bill to organize the several towns therein named;

Which was read a first and second times.

The printing of the same dispensed with, and referred to the committee on town and county organization.

A message from the Governor:

Executive Department,
Madison, Feb. 8, 1849.

To the Senate—

I have this day approved, signed and deposited in the office of the Secretary of State,

"An act relating to courts of record in this State; and

"An act to constitute certain persons members of the Milwaukee Cemetery Association."

NELSON DEWEY.

A message from the Assembly by their chief clerk:

Mr. President—

I am directed to inform you that the Assembly have concurred in the first amendment of the Senate to the amendment of the Assembly to

No. 43 (S.) A bill relating to penalties for violating election laws;

And have non-concurred in the second amendment of the Senate to the amendment of the Assembly to said bill, which was to add to section 11, the following:

And put a copy of the same in some conspicuous place where the polls are opened or held.

The Assembly have also concurred in the passage of

No. 9 [S.] A memorial to Congress, on the subject of a mail route from Waukesha to Cederburg;

Without amendment;

And have passed,

No. 5 [A.] Joint resolution relative to seals;

No. 24 [A.] A bill to extend the boundaries of the county of Marquettee;

No. 28 [A.] A bill to amend an act entitled an act regulating marriages;

And,

No. 55 [A.] A bill to declare certain roads in the town of Emmett to be lawful highways;

In which the concurrence of the Senate is requested.

I am farther directed to present for your signature,

"An act prescribing certain duties to be performed by the State Treasurer;"

"An act authorizing school district number seven, in the town of Hustisford, Dodge county, to levy a tax to build a school house;"

"An act to extend the time for collecting and paying over tax in the town of Windsor Dane County;" and

"An act to authorize the construction of a bridge across Fox River;"

Which have been signed by the Speaker of the Assembly.

The Assembly have also concurred in the adoption of the following resolution to wit:

Resolved, By the Senate and Assembly, That the joint committee on claims be increased by the addition to said committee of one in the Senate and two in the Assembly;

And have appointed Messrs. Pope and Thorp as the committee on the part of the Assembly under said resolution.

And have also passed,

No. 56, (A.) A bill to declare certain roads in the town of Auburn to be lawful highways;

No. 66, (A.) A bill to vacate the town Platt of the town of Oconomowoc;

No. 62, (A.) A bill to lay out and establish certain roads therein named;

And,

No. 64, (A.) A bill to incorporate the Spring Valley Academical Association;

In which the concurrence of the Senate is requested.

The said message was taken up, and Mr. Dennis was appointed the additional member of the committee on claims, on part of the Senate.

On motion of Mr. Smith,

The Senate receded from the second amendment to the amendment of the Assembly, to bill

No. 43, (S.) A bill relating to penalties for violating election laws.

The following bills,

No. 5, (A.) Joint resolutions relative to seals;

No. 24, (A.) A bill to extend the boundaries of the county of Marquette;

No. 28, (A.) A bill to amend an act entitled "an act regulating marriages;"

No. 55, (A.) A bill to declare certain roads in the town of Emmett to be lawful highways;

No. 56, (A.) A bill to declare certain roads in the town of Auburn to be lawful highways;

No. 62, (A.) A bill to lay out and establish certain roads therein named;

No. 64, [A.] A bill to incorporate the Spring Valley Academical Association;

No. 66, [A.] A bill to vacate the town Platt of the town of Oconomowoc,

Were severally read a first and second times; and

No. 5, [A.] Joint resolution relative to seals,

Was considered and adopted.

On motion of Mr. Chase,

Bills No. 24, [A.] was referred to the committee on town and county organization.

Nos. 55, [A.,] 56, [A.] and 62, [A.] were severally referred to the committee on roads and bridges.

Nos. 64, [A.] and 66, [A.] were severally referred to the committee on Incorporations.

On motion of Mr. Horn,

No. 28, [A.] was referred to the committee on Internal Improvements.

On motion of Mr. Gardner,

Senate adjourned until 3 o'clock this afternoon.

SAME DAY, 3 O'CLOCK, P. M.

Mr. Smith from the committee on enrolled bills,

Reported,

That they had this day presented to the Governor for his approval,

"An act to extend the time for collecting and paying over tax in the town of Windsor, Dane county;"

"An act to authorize school district No. seven in the town of Hustisford, Dodge county to levy a tax to build a School house;"

"An act prescribing certain duties to be performed by the State Treasurer;"

"An act to authorize the construction of a bridge across Fox River."

Mr. Horn on leave, offered the following Resolution:

Resolved, That his Excellency the Governor, be requested to communicate to the Senate, any further correspondence which he may have received since his Annual Message in relation to the subject of a State Prison;

Which was adopted.

Under rule,

The Senate resolved itself into a committee of the whole on No. 57 (S.) A bill in relation to counties and county officers;

Mr. Kinney in the chair.

After some time spent therein, the committee rose, and by their chairman reported the said bill back to the Senate with amendments.

And the question being on concurring in the amendments made in the committee of the whole—

The amendments were concurred in, and said bill No. 57 (S.) was ordered to be engrossed and read a third time.

A message from the Governor:

To the Senate—

I have this day approved, signed and deposited in the office of the Secretary of State, acts of the following titles, to wit:

"An act to extend the time for collecting and paying over tax in the town of Windsor, Dane county;"

And,

"An act to authorize school district number seven in the town of Hustisford, Dodge county, to levy a tax to build a school house."

NELSON DEWEY.

Executive Office,
Fedruary 12, 1849.

A message from the Governor:

To the Senate—

Executive Department,
Madison, Feb. 12, 1849.

In response to a resolution of the Senate adopted this day requesting the Governor to communicate to the Senate "any further correspondence which he may have received since his annual Message in relation to the subject of a State Prison"—I herewith communicate a letter from L. M. Parsons, which is all the information received on that subject by me not heretofore transmitted to the Legislature.

NELSON DEWEY.

And the accompanying letter of L. M. Parsons, was read, [See Appendix.]

And, on motion of Mr. Botkin,

The said communication and letter were referred to the committee on University and school lands.

On motion of Mr, Horn,

Senate adjourned until to-morrow morning at 10 o'clock.

TUESDAY, February 13, 1849.

Prayer by the Rev. Mr. Read.

The Journal of yesterday was read and corrected.

Mr. Botkin presented the petition of Bell, Blackley and others for an act of incorporation for an Academy in Dane county,

Which was referred to the committee on incorporations.

Mr. Sholes presented the petition of H. McRay and others relative to a certain State road in the county of Racine,

Which was referred to the committee on roads and bridges.

Mr. Horn gave notice that he will on to-morrow, or some future day, ask leave to introduce a bill to provide for the taking of a census of the inhabitants of the State.

Mr. Botkin gave notice that he will on to-morrow, or some future day, ask leave to introduce a bill to organize the Dane Academy in Dane county.

Mr. Cothren, on leave, introduced

No. 60, [S.] A bill to organize county courts;

Which was read a first and second times and ordered to be printed.

Mr. Cothren also submitted, together with said bill, a plan of a bill to establish inferior courts in the State, and for other purposes,

Which was ordered to be printed with said bill No. 60, [S.]

Mr. Botkin from the committee on State affairs, to whom the subject had been referred, Reported as follows:

The committee on State affairs to whom was referred the petition and account of E. Miller, surveyor of Rock county, claiming to be paid by the State for services rendered in surveying school and university lands, and which the supervisors of said county refuse to pay, have had the same under consideration; and on examinieg the law on that subject have instructed me to report, that it is clear to your committee that the county supervisors have the right and ought to have audited and allowed the account,—that they would have been justifiable in doing so by the provisions of sections five and eight of the acts providing for the appraisal and subdivision of school and university lands, approved Aug. 12, 1848.

Your committee would recommend that no further action by the Senate is necessary, and that your committee be discharged from the further consideration of the subject.

A. BOTKIN, Ch'n.

Which report was received, the committee discharged from further consideration of the subject, and the recommendation of the committee adopted.

Mr. Sholes from the joint select committee on printing,

Reported as follows:

The joint select committee on printing, to which was referred the acounts of R. A. Bird and Beriah Brown, for printing done, have instructed me to report bills as follows:

C. LATHAM SHOLES.

No. 61 (S.) A bill to appropriate to Beriah Brown the sums therein named.

No. 62 (S.) A bill to appropriate to Rhenodyne A. Bird, the sum therein named;

Which were severally read a first and second times.

Mr. Dennis, on leave, introduced

No. 63, (S.) A bill to pay certain sums to the commissioners appointed to revise the laws;

Which was read a first and second times.

Mr. Kinney from the committee on town and county organization to whom the bills had been referred, reported back

No. 24, (A.) A bill to extend the boundaries of the county of Marquette,

Without amendment; and

No. 49 (A.) A bill to organize the town of Charlestown, in Calumet county,

With amendments.

And said bill No. 49, (A.) was read a first and second times.

Mr. Cothren from the committee on the judiciary to whom the subject had been referred, reported as follows:

The Judiciary committee upon the subject of the Washington county seat, referred to them by resolution,

REPORT:

That having investigated the subject referred to them, a majority of the committee are of the opinion—

FIRST. That the seat of justice of said county, is permanently and legally located at a 'point or place' in the county after the expiration of the term of the temporary location at Port Washington.

The committee therefore,

SECONDLY. Report a bill in strict conformity with the instructions in said resolution contained, entitled "an act to provide for the removal of the county seat of Washington county, and for the permanent location thereof."

As to the legal point above reported the chairman dissents from the opinion of the majority of the committee.

M. M. COTHREN, Ch'n.

Which report was received, and

No. 64, (S.) A bill for an act to provide for the removal of the county seat of Washington county, and for the permanent location thereof,

Was read a first and second times.

On motion of Mr. Sholes,

The Senate resolved itself into a committee of the whole on the general file of bills;

Mr. Lakin in the chair.

After some time spent therein the committee rose and by their chairman reported the following bills:

No. 13, (A.) A bill to amend an act entitled "an act to prescribe the mode of proceeding in chancery;"

No. 19, [A.] A bill to appropriate to Wm. H. Sullivan the sum therein named;

No. 22, [A.] A bill to legalize the proceedings of a special town meeting in the town of Calumet;

No. 23, [A.] A bill in relation to school district number eleven in the town of Waukesha;

No. 34 (A.) A bill to vacate the town plat of the Town of Victory in the county of Dodge;

No. 36 (A.) A bill to authorize the construction of a dam across the Milwaukee river;

No. 38, [A.] A bill to authorize the city of Racine to aid in the construction of a Plank Road;

No. 41, [A.] A bill to change the name of Lucy Ann Brown Leland to Lucy Ann Brown, and that the same be made heir at-law to Benjamin Brown;

No. 40, [S.] A bill to vacate a certain street in the village of Cedarburg;

No. 32, [A.] A bill to declare the Oconto river a navigable stream; and

No. 33 (A.) A bill to authorize William H. Morse to keep and maintain Ferries across the St. Croix and Mississippi Rivers;

Without amendments; and bills

No. 37 [A.] A bill to authorize the construction of a dam across Rock River;

No. 22, (S.) A bill to provide for the protection of Shade Trees, Hedges, and Fences in certain cases;

And,

No. 56, (S.) An act to prescribe the terms of the Supreme Court, and to require the adoption of rules of practice;

With amendments;

And reported progress on the general file of bills, and ask leave to sit again;

Which was granted.

And the report of the committee of the whole being under consideration,

No. 40, (S.) A bill to vacate a certain street in the village of Cedarburg,

Was ordered to be engrossed and read a third time.

Bills No. 38, [A.] No. 22, [A.] No. 34, [A.] No. 19, [A] No. 41, [A.] and No. 23, (A.),

Were severally ordered to a third reading.

Mr. Gardner moved to return bill No. 13, (A.) to the general file;

Which was not agreed to;

And said bill No. 13, (A.) was ordered to a third reading.

On motion of Mr. Fishea, bill

No. 33, (A.) A bill to authorize William H. Morse to keep and maintain Ferries across the St. Croix and Mississippi rivers,

Was laid on the table.

Mr. Smith moved to lay on the table, bill

No. 36 (A.) A bill to authorize the construction of a dam across the Milwaukee river;

Which was not agreed to;

And said bill No. 36, (A.) was ordered to a third reading.

And the question being on ordering bill

No. 32, [A.] A bill to declare the Oconto river a navigable stream,

To a third reading, it was not agreed to.

And the ayes and noes being called for,

Those who voted in the affirmative, were

Messrs. Gardner, Goodell, Horn, Merrell, Sholes and Willard—6.

Those who voted in the negative, were

Messrs. Botkin, Chase, Cothren, Dennis, Fisher, Kinney, Lakin, Murphy, Norton, Smith, Sprague and Williams—12.

The amendments of the committee of the whole to bills

No. 37 [A.] A bill to authorize the construction of a dam across Rock River;

No. 22, [S.] A bill to legalize the proceedings of a special town meeting in the town of Calumet;

And,

No. 56, (S.) An act to prescribe the terms of the Supreme Court, and to require the adoption of rules of practice;

Were severally concurred in.

And said bill No. 37, (A.) was ordered to a third reading.

And said bills No. 22, (S.) and No. 56, (S.) were severally ordered to be engrossed and read a third time.

On motion of Mr. Horn,

The vote by which bill

No. 38, [A.] A bill to authorize the city of Racine to aid in the construction of a Plank Road,

Was ordered to a third reading, was reconsidered;

And the question recurring on ordering the bill to be read a third time,

Mr. Horn moved to amend the said bill by adding another section as follows:

Sec. 5. The Racine and Rock River Plank Road company are hereby authorized to use for said Plank Road, so much of the United States road from Racine to Janesville as they may deem proper.

Mr. Norton moved to lay said bill No. 38, (A.) on the table;

Which was not agreed to.

And the question recurring on the said amendment,

It was not agreed to.

And the ayes and noes being called for,

Those who voted in the affirmative, were

Messrs. Botkin, Dennis, Goodell, Horn, Lakin, Sholes, Willard and Williams—8.

Those who voted in the negative, were

Messrs. Chase, Cothren, Fisher, Gardner, Kinney, Merrell, Murphy, Norton, Smith and Sprague—10.

On motion of Mr. Willard,

Said bill No. 38, (A.) was referred to the committee on the Judiciary.

On motion of Mr. Botkin,

The vote by which bill

No. 32, (A.) A bill to declare the Oconto River a navigable stream,

Was negatived, was reconsidered; and

On motion of Mr. Merrell,

Said bill No. 32, (A.) was laid on the table.

On motion of Mr. Cothren,

Senate adjourned until 10 o'clock to-morrow morning.

And the ayes and noes being called for,

Those who voted in the affirmative, were

Messrs. Botkin, Chase, Cothren, Dennis, Gardner Kinney, Lakin, Merrell, Murphy, Norton, Sprague, Willard and Williams—13.

Those who voted in the negative, were

Messrs. Fisher, Goodell, Horn, Sholes and Smith—5.

WEDNESDAY, February 14, 1849.

Prayer by the Rev. Mr. Lord.

The reading of the Journal of yesterday was dispensed with.

Mr. Smith presented the petition of Alanson Sweet and others for the passage of a law to authorize Thos. P. Williams and others to build a bridge over Milwaukee river in the city of Milwaukee;

Which was referred to the committee on roads and bridges.

Mr. Chase presented the petitions of sundry citizens of St. Croix county, and of Minnesota, in relation to the boundaries of St. Croix county and the alteration of the State boundaries;

Which were referred to the committee on State affairs.

Mr. Fisher presented a letter of Philip Aldrich on the subject of a change in the boundaries of St. Croix county and the State, and remonstrating against the same;

Which was referred to the committee on State affairs.

The President presented the remonstrance of J. C. Wadsworth and 127 other citizens of the town of Jefferson against the division of the town;

Which was referred to the committee on town and county organization.

The President presented the remonstrance of Messrs. Wing, Sawyer and Wadsworth, mill owners of Jefferson, against authorizing Cyrus Curtis to build a mill dam across Rock River at Fort Atkinson in the county of Jefferson, together with accompanying documents;

Which were laid on the table.

Mr. Botkin offered the following resolution:

Resolved, That the persons doing the printing of the bills and journals of the Senate be directed to report to the Senate the reasons why yesterday's journal slips have not been furnished at the usual time; also how many bills and other documents they now have not printed and sent to the Senate, and their reasons for not printing them in reasonable time; and the reasons why the printing for the Senate has been so much delayed by them; and that a committee of three be appointed to enquire into and report whether the present printers have not violated their contract, and report as to the necessity of appointing some other suitable person to do the incidental printing during the remainder of the present session.

And the resolution being under consideration,

Mr. Chase moved to amend the same by inserting as follows:

"Why the joint resolution calling for their account has not been complied with;"

Which was agreed to.

Mr. Horn moved further to amend the resolution by striking out the words "persons doing the printing of the bills and journals of the Senate" and inserting "State Printer;"

Which was agreed to.

And the ayes and noes being called for,

Those who voted in the affirmative, were

Messrs. Cothren, Dennis, Fisher, Gardner, Goodell, Horn, Lakin, Murphy, Norton, Sholes, Smith, Sprague, Willard and Williams—14.

Those who voted in the negative, were

Messrs. Botkin, Chase, Kinney and Merrell—4.

And the resolution as amended was adopted.

Mr. Norton presented the petition of Henry C. Wheeler and 27 others praying for the incorporation of the "Spring Valley Academical Association;"

Which was referred to the committee on Incorporations.

A message from the Assembly by their chief clerk:

Mr. President—

I am directed to inform you that the Assembly have adopted the following resolution, to wit:

Resolved, (the Senate concurring,) That the committee on the report of the commissioners to revise the laws be dispensed with;"

In which the concurrence of the Senate is requested.

And Messrs. Cross and Daugherty have been appointed on the part of the Assembly as the committee under the joint resolution relative to seals.

The Assembly have also concurred in the passage of

No. 51, [S.] A bill for the distribution of school moneys,

With an amendment;

No. 48, [S.] A bill in relation to State officers,

With sundry amendments;

And have passed

No. 40, [A.] An act to prevent obstructions of the Wisconsin river and its tributary streams;

In which the concurrence of the Senate is requested.

The Assembly have also concurred in the passage of

No. 35, (S.) A bill to authorize H. S. Allen, Stover Rines, Moses Rines, and their associates to construct and maintain a a Boom in Chippewa River in the connty of Chippewa,

Without amendment.

Mr. Merrell from the committee on engrossed bills reported as correctly engrossed,

No. 57, (S.) A bill in relation to counties and county officers.

Mr. Fisher from the committee on engrossed bills reported as correctly engrossed,

No. 22, (S.) A bill to provide for the protection of Shade Trees, Hedges and Fences in certain cases;

No. 40, (S.) A bill to vacate a certain street in the village of Cedarburg;

And,

No. 56, (S.) An act to prescribe the terms of the Supreme Court, and to require the adoption of rules of practice.

Mr. Dennis offered the following resolution:

Whereas, It is alledged that David Merrell, late Receiver of Canal Lands, has now in his possession a large amount of money, also certain Bonds, Mortgages and other valuable Records, belonging to the people of this State, which he now unlawfully detains, and refuses to pay over the said money to the Treasurer, or to deliver the said Bonds, Mortgages or other Records to the Secretary of State as provided by law. Therefore, be it

Resolved, That the Judiciary committee be instructed to bring in a bill, to-morrow morning, directing the Attorney General of this State forthwith to institute civil and criminal proceedings against the said David Merrell, in a manner best calculated to bring the same to a speedy termination, and to secure the rights and maintain the honor of the State.

And the resolution being under consideration,

Mr. Horn moved to amend the same as follows:

Add after the word "instructed" the following:—"to inquire whether any further legislation is necessary by the legislature in order to institute legal proceedings, and if the committee find that such is not the case,"

Which was not agreed to.

And the ayes and noes being called for,

Those who voted in the affirmative, were

Messrs. Chase, Cothren, Gardner, Horn, Lakin, Merrell Smith and Sprague—8.

Those who voted in the negative, were

Messrs. Botkin, Dennis, Fisher, Goodell, Kinney, Murphy, Norton, Sholes, Willard and Williams—10.

And the question recurring on the adoption of the resolution,

It was adopted.

Mr. Horn, on leave, introduced

No. 65, (S.) A bill to provide for the taking of a census of the inhabitants of the State;

Which was read a first and second times.

Mr. Horn offered the following Resolution:

Resolved, That the Judiciary committee be instructed to report by to-morrow morning, whether any more legislation is necessary in the matter of the Milwaukee and Rock River canal, in order to authorize the Attorney General to institute criminal proceedings against any person or persons having moneys or other property in their hands belonging to the State or former Territory, and that they report by bill or otherwise;

Which was not agreed to.

And the ayes and noes being called for,

Those who voted in the affirmative, were

Messrs. Cothren, Gardner, Horn, Merrell and Smith—5.

Those who voted in the negative, were

Messrs. Botkin, Chase, Dennis, Fisher, Goodell, Lakin, Murphy, Norton, Sholes, Sprague, Willard and Williams—12.

Mr. Willard from the committee on roads and bridges, to whom the subject had been referred,

Reported,

No. 66 (S.) A bill to provide for laying out a certain road in the county of Dane;

Which was read a first and second times.

Mr. Botkin from the committee on State affairs, to whom had been referred, bill

Mo. 53 (S.) A bill in relation to the resignation, vacancies, and removals and supplying vacancies;

Reported the same back with amendments,

And said bill No. 53 (S.) was read a second time.

Mr. Cothren from the committee on the Judiciary to whom had been referred bill

No. 38 [A.] A bill to authorize the city of Racine to aid in the construction of a plank road.

Reported the same back without amendment, and recommend its passage.

The message from the Assembly was taken up, and the following bills:

No. 13, (A.) A bill to amend an act entitled "an act to prescribe the mode of proceeding in chancery;"

No. 22 [A.] A bill to legalize the proceedings of a special town meeting, in the town of Calumet.

No. 23, [A.] A bill in relation to school district number eleven in the town of Waukesha;

No. 36 [A.] A bill to authorize the construction of a dam across the Milwaukee River.

No. 41 [A.] A bill to change the name of Lucy Ann Brown Leland to Lucy Ann Brown, and that the same be made heir at law of Benjamin Brown;

No. 22 [S.] A bill to provide for the protection of shade trees, Hedges, and Fences in certain cases;

No. 56 [S.] An act to prescribe the terms of the Supreme court, and to require the adoption of rules of practice;

Were severally read a third time, passed, and their several titles agreed to.

No. 19, [A.] A bill to appropriate to Wm. H. Sullivan the sum therein named;

Was read a third time and passed.

And the ayes and noes being called,

Those who voted in the affirmative, were

Messrs. Botkin, Chase, Cothren, Dennis, Gardner, Goodell, Kinney, Lakin, Merrell, Murphy, Norton, Sholes, Smith, Sprague, Willard and Williams—16.

Those who voted in the negative, were

Messrs. Fisher and Horn—2.

The title of the bill was agreed to.

No. 34 (A.) A bill to vacate the town plat of the Town of Victory in the county of Dodge,

Was read a third time and passed.

And the ayes and noes being called for,

Those who voted in the affirmative, were

Messrs. Botkin, Chase, Dennis, Fisher, Goodell, Horn, Kinney, Lakin, Merrell, Norton, Sholes and Sprague—12.

Those who voted in the negative, were

Messrs. Cothren, Gardner, Murphy, Smith, Willard and Williams—6.

The title of the bill was agreed to.

No. 40, (S.) A bill to vacate a certain street in the village of Cedarburg,

Was read a third time and passed.

And the ayes and noes being called for,

Those who voted in the affirmative, were

Messrs. Botkin, Chase, Cothren, Dennis, Fisher, Goodell, Horn, Kinney, Lakin, Merrell, Murphy, Norton, Sholes and Sprague—14.

Those who voted in the negative, were

Messrs. Gardner, Smith, Willard and Williams—4.

No. 57, (S.) A bill in relation to counties and county officers,

Being on its third reading,

Mr. Lakin asked the unanimous consent of the Senate to amend said bill as follows:

COURT COMMISSIONER.

SECTION 90. The Circuit Judges in each of the Judicial Circuits within the State, may appoint, in each of the organized counties in their respective circuits, a Court Commissioner, who shall hold his office for two years from the time of his appointment, unless removed by such Judge. Such commissioner shall have power to issue Subpœnas for witnesses to come before him, and to issue Attachments and other necessary process to compell their attendance in case of disobedience thereof; to administer oaths and to take depositions and testimony in cases at law or in equity, and to return and report such depositions and testimony to the court having jurisdiction of such cases; to take acknowledgements of deeds and other instruments of writing; to allow writs of attachment and *certiorari*, and, in civil actions, may determine upon the amount and sufficiency of bail in cases in which bail is required by law, and to do such other things as are required by the court, or as are necessary and proper for the full exercise of the powers hereby granted;

Which was agreed to;

And the bill was so amended.

Mr. Dennis asked the unanimous consent of the Senate to further amend said bill No. 57, (S.) as follows:

SEC. 126. Strike out, in the third line, the words "Taxes on suits commenced in the Circuit Court;"

Which was agreed to; and the bill was so amended.

No. 37, (A.) A bill to authorize the construction of dam across Rock river,

Being under consideration on its third reading,

On motion of Mr. Botkin,

Said bill, together with the remonstrance of the mill owners of Jefferson, and the accompanying documents were referred to the committee on Internal Improvements.

No. 40, (A.) An act to prevent obstructions of the Wisconsin River and its tributary streams,

Was read a first and second times.

The amendment of Assembly to

No. 51, (S.) A bill for the distribution of school moneys,

Was concurred in.

The amendments of Assembly to

No. 48, (S.) A bill in relation to State officers,

Were considered;

And the first, second, third, fourth, sixth and seventh amendments were severally concurred in.

And the question being on concurring in the fifth amendment, which is to amend Sec. 44 by adding "after the term of the present incumbent shall have expired, the salary of the Superintendent shall be twelve hundred dollars per annum;"

It was non-concurred in.

And the ayes and noes being called for,

Those who voted in the affirmative, were

Messrs. Cothern, Horn and Lakin—3.

Those who voted in the negative, were

Messrs. Botkin, Chase, Fisher, Gardner, Goodell, Kinney, Merrell, Murphy, Norton, Sholes, Smith, Sprague, Willard and Williams—14.

And the question being on concurring in the eigth amendment, which is "to strike out sections No. 54 and 55,"

It was non-concurred in.

And the ayes and noes being called for,

Mr. Botkin voted in the affimative—1.

Messrs. Chase, Cothren, Dennis, Fisher, Gardner, Goodell, Horn, Kinney, Lakin, Merrell, Murphy, Norton, Sholes, Smith, Sprague, Willard and Williams—17—voted in the negative.

Mr. Smith from the committee on enrolled bills, reported as correctly enrolled,

No. 43, (S.) A bill relating to penalties for violating election laws;

No. 5, (A.) A joint resolution relative to seals;

No. 9, (S.) A memorial to Congress on the subject of a mail route from Waukesha to Cedarburg.

Mr. Horn offered the following resolution:

Resolved, That [illegible] copies of the mileage report be printed for the use of the Senate;

Which was adopted.

On motion of Mr. Sholes,

Senate adjourned until [illegible] o'clock this afternoon.

[illegible] [illegible] O'CLOCK, P. M.

[illegible]

Company reported,

No. 97, (S.) A bill to provide for a [illegible] Milwaukee and Rock River Canal Company;

Which was read a first and second times, and ordered printed.

The President laid before the Senate the following communication, in reply to the resolution adopted this morning, relative to printing bills and journal and printers account:

Hon. John E. Holmes,
President of the Senate—

Enclosed I transmit to the Senate through you a communication in reply to a resolution passed this day.

Your ob't serv't,
D. T. DICKSON.

Madison, Feb. 14, 1849.

ARGUS OFFICE, Madison,
Feb'y 14, 1849.

To the honorable Senate:

Gentlemen: I have the honor to acknowledge the receipt of a resolution this day passed by your body, asking for information on the following points, to wit:

1st. "Why the Senate slip of yesterday was not furnished at the usual time?

2nd. How many bills and other documents have not been printed and sent to the Senate, and the reasons for not printing them?

3rd. Why the joint resolution asking for my account has not been attended to? and

4th. Why the printing of the Senate has been *so much delayed?*"

To all the above interrogations, I reply, as follows:

First. The slip of yesterday was not handed in until about six o'clock P. M., and of course it took till a late hour of the night to put it in type. This [illegible]

Second. The total number of bills, documents, &c. &c., now on hand and not printed, is ONE, and that is in the hands of the compositors. This one came in with some others last night, and will be on your desks this afternoon.

Third. When resolutions have been passed heretofore, requiring any duty to be performed, it has been customary for the chief clerk to forward a copy to the person intended to be notified. Having had no notification that any such order had been made, I have not, of course, made out my account for printing. Had I been apprized of the order, and satisfied that it could be required under any construction of my contract, I should have most promptly and cheerfully complied with the request.

Fourth. As to the imputation of "delay" in executing the public work, I have simply to say that no such delay has taken place. No time being fixed by my engagement—I am entitled to a reasonable time on every job ordered; and I have furnished the work thus far with a promptness and expedition never before done at any session of the legislature. When particular instances of "delay" are specified, I shall be better able to comprehend and reply to this interrogatory; but having never yet heard of any instance, I cannot at this time give a more definite answer.

I will add, further, that the obligations imposed on me by my contract will continue to be, as they have been thus far, faithfully observed. A large portion of the public work "usually incident to the business of the two houses," having been dispensed with, contrary to my expectations, and a part of my workmen consequently discharged, slight delays may possibly take place hereafter; but I anticipate no difficulty, notwithstanding, in fulfilling my engagements for incidental or other printing, to the fullest extent.

With sentiments of profound respect,

D. T. DICKSON, State Printer.

Mr. Smith was appointed a member of the joint committee on seals, on part of the Senate.

On motion of Mr. Cothren the Senate resolved itself into a committee of the whole on the general file of bills:

Mr. Chase in the chair.

After some time spent therein the committee rose and by their chairman reported

No. 61, (S.) A bill to appropriate to Beriah Brown the sums therein named;

No. 62, (S.) A bill to appropriate to R. A. Bird the sum therein named; and

No. 64, (S.) An act to provide for the removal of the county seat of Washington County and for the permanent location thereof;

With amendments to each;

And reported progress on the general file, and ask leave to sit again—which was granted.

And the amendments of the committee of the whole to bills No. 61, (S.) No. 62, (S.) and No. 64, (S.) were severally concurred in.

And said bills No. 61, (S.) and No. 62, (S.) were severally ordered to be engrossed and read a third time.

A message from the Assembly by their chief clerk:

Mr. President—

I am directed to inform you that the Assembly have concurred in the adoption of the amendment of the Senate to

No. 3, (A.) Joint Resolution relative to the printing of the laws;

And also have passed

No. 6, (A.) Joint Resolutions relative to salaries of officers of the University, and in relation to approving of the proposed site, and plan of University buildings;

No. 20, (A.) A bill relating to towns and town officers;

No. 59, (A.) An act to appropriate to N. W. Dean the sum therein named;

No. 60, (A.) A bill to extend the time of collecting and returning taxes in the town of Eagle, Waukesha county;

No. 71, (A.) A bill to provide for elections, other than town officers;

In which the concurrence of the Senate is requested.

I am further directed to present for your signature,

"Joint Resolution relative to seals;" and

"A memorial to Congress on the subject of a mail route from Waukesha to Cedarburg;"

Which have been signed by the Speaker of the Assembly.

On motion of Mr. Horn,

The Senate adjourned until 10 o'clock to-morrow morning.

THURSDAY, February 15, 1849.

The reading of the Journal of yesterday was dispensed with.

Mr. Smith offered the following resolution:

Resolved, That the Secretary of State be and is hereby requested to report to the Senate the amount due on mortgages recorded in the "Record Book" returned by the Register of the Milwaukee and Rock River Canal Lands, giving the name of the person or persons from whom the same is due, and amount due from each respectively;

Which was adopted.

Mr. Dennis presented a remonstrance of the inhabitants of the town of Emmet, Dodge County, against legalizing the roads in said town;

Which was referred to the committee on roads and bridges.

Mr. Smith from the committee on enrolled bills, reported as correctly enrolled,

No. 3, (A.) Joint resolution relative to the printing of the laws.

Mr. Kinney from the committee on claims to whom the bill and amendment had been referred, reported back

No. 58, (S.) A bill to appropriate the sum of money therein named;

Without amendment.

Mr. Willard from the committee on roads and bridges, to whom the subject had been referred, reported

No. 68, (S.) A bill to provide for laying out a road in Rock and Green counties;

Which was read a first and second times.

Mr. Fisher from the committee on the engrossed bills reportd as correctly engrossed,

No. 61, (S.) A bill to appropriate to Beriah Brown the sums therein named; and

No. 62, (S.) A bill to appropriate to R. A. Bird the sum therein named.

The message of the Assembly was then taken up.

No. 60, (A.) A bill to extend the time of collecting and returning taxes in the town of Eagle, in Waukesha county;

Was read a first and second times; and

On motion of Mr. Lakin,

All rules in relation to said bill, were suspended—and the bill was ordered to a third reading now, and said bill,

No. 60, (A.) was read a third time, passed, and the title agreed to.

No. 6, (A.) Joint resolutions relative to salaries of officers of the University, and in relation to approving of the proposed site, and plan of the University buildings,

Being under consideration, said bill No. 6, (A.) was,

On motion of Mr. Smith, referred to the committee on University and University Lands.

No. 59, (A.) An act to appropriate to N. W. Dean the sum therein named,

Was, on motion of Mr. Chase, referred to the committee on claims.

No. 71, (A.) A bill to provide for elections other than town officers; and

No. 20, (A.) A bill relating to towns and town officers;

Were severally read a first and second times.

No. 64, (S.) An act to provide for the removal of the county seat of Washington county and for the permament location thereof;

Being under consideration,

Mr. Horn moved to strike out all after the enacting clause and insert a substitute for the bill, as an amendment.

And, on motion of Mr. Chase, said bill No. 64, (S.) together with the proposed amendment, were recommitted to the committee of the whole.

No. 61, (S.) A bill to appropriate to Beriah Brown the sums therein named,

Was read a third time and passed.

And the ayes and noes being called,

Those who voted in the affirmative, were

Messrs. Botkin, Chase, Cothren, Dennis, Fisher, Gardner, Goodell, Horn, Lakin, Murphy, Smith, Sprague and Williams —13.

Those who voted in the negative, were

Messrs. Kinney, Merrell and Willard—3.

The title of the bill was agreed to,

No. 62, (S.) A bill to appropriate to R. A. Bird the sum therein named,

Was read a third time and passed.

And the ayes and noes being called,

Those who voted in the affirmative, were

Messrs. Botkin, Chase, Cothren, Fisher, Gardner, Goodell, Horn, Kinney, Lakin, Merrell, Murphy, Sholes, Smith, Sprague and Williams—16.

Mr. Willard voted in the negative.

A communication from the Governor:

EXECUTIVE DEPARTMENT,
February 15, 1849.

To the Senate :

I have this day approved, signed and deposited in the office of the Secretary of State,

An act entitled "An act prescribing certain duties to be performed by the State Treasurer.

NELSON DEWEY.

A message from the Assembly by their chief clerk:

Mr. President—

The Assembly insist upon their fifth and eighth amendments to

No. 48, (S.) A bill in relation to State officers;"

And ask a committee of conference on the disagreeing vote of the two Houses, and have appointed Messrs. Strong and Barber as a committee of conference on the part of the Assembly to act in conjunction with a similar committee to be appointed on the part of the Senate thereon.

On motion of Mr. Lakin, the Senate resolved itself into a committee of the whole on bill

No. 47, (S.) A bill to provide for the publication of legal decisions;

Mr. Goodell in the chair.

After some time spent therein the committee rose and by their chairman reported said bill No. 47, (S.) with amendments

And the question being on concurring in the amendments of the committee of the whole to No. (47, (S.)

They were concurred in; and

On motion of Mr. Kinney, said bill No. 47, (S.) was referred to the committee on printing, with instructions to report in connection with the publications of the decisions of the Supreme Court, a plan for the publication of the Revised Statutes.

Under rule, the Senate resolved itself into a committee of the whole on Bill

No. 53, (S.) A bill in relation to the resignation, vacancies and removals, and of supplying vacancies;

Mr. Williams in the chair.

After some time spent therein the committee rose and by their chirman reported

No. 53, (S.) with sundry amendments.

And the question being on concurring in the amendments of the committee of the whole,

They were concurred in.

Mr. Smith moved further to amend the said bill No. 53, (S.) in section 12 of printed bill, by striking out the word "Treasurer;"

Which was agreed to.

And said bill No. 53, (S.) was ordered to be engrossed and read a third time.

The President announced Messrs. Lakin and Gardner as a committee of conference on part of the Senate on the disagreeing vote of the two Houses on the amendments of the Assembly to bill

No. 48, (S.) A bill in relation to State officers.

Mr. Cothren from the committee on the Judiciary reported as follows:

A majority of the Judiciary committee having had under consideration the resolution requiring them to prepare a bill to authorize proceedings to be commenced against David Merrell, Receiver of the Milwaukee and Rock River Canal Lands. Report in accordance with the instructions of said resolutions, the following bill:

No. 69, (S.) an act to prescribe certain duties of the Attorney General of the State, and the District Attorney of Milwaukee county;

Which was read a first and second times and ordered printed.

On motion of Mr. Chase,

Senate adjourned until 3 o'clock this afternoon.

SAME DAY, 3 O'CLOCK, P. M.

On motion of Mr. Gardner,

Senate resolved itself into a committee of the whole on the bills reported by Joint select committee on report of Revisers;

Mr. Sholes in the chair.

After some time spent therein the committee rose and by their chairman reported bill

No. 71, (A.) A bill to provide for elections, other than town officers;

With amendments.

And the question being on concurring in the amendments made in committee of the whole,

They were concurred in.

Mr. Williams moved to further amend said bill by striking out section 17;

Which was agreed to;

And the ayes and noes being called for,

Those who voted in the affirmative, were

Messrs. Botkin, Chase, Fisher, Goodell, Merrell, Sholes and Williams—7.

Those who voted in the negative, were

Messrs. Cothren, Gardner, Horn, Lakin, Smith, Sprague and Willard—7.

The President voted in the affirmative.

Mr. Merrell moved further to amend the said bill by striking out section 12;

Which was agreed to;

And the ayes and noes being called for,

Those who voted in the affirmative, were

Messrs. Botkin, Chase, Fisher, Goodell, Lakin, Merrell, Sholes, Sprague and Williams—9.

Those who voted in the negative, were

Messrs. Cothren, Gardner, Horn, Smith and Willard—5.

Mr. Chase moved to further amend the said bill as follows:

In 3d line of section 18, strike out all after "chosen" to "and" inclusive, where it first occurs in 5th line, and insert in lieu thereof "the notice for such election shall state,"

Which was agreed to,

And said bill,

No. 71, (A.) A bill to provide for elections other than town officers;

Was ordered to be read a third time.

On motion of Mr. Williams,

The Senate adjourned until 10 o'clock to-morrow morning.

FRIDAY, February 16, 1849.

Prayer by the Rev. Mr. Lord.

On motion of Mr. Horn,

The reading of the Journal of yesterday was dispensed with.

The President laid before Senate the following communication from the Secretary of State:

SECRETARY'S OFFICE, Madison,
Feb'y 15, 1840.

Hon. John E. Holmes,
Lieutenant Governor, &c.—

Sir: I have the honor to acknowledge the receipt of a resolution requesting me to "report to the Senate the amount due on Mortgages recorded in the "Record Book" retained by the Register of the Milwaukee and Rock River Canal Lands, giving the name of the person or persons from whom the same is due and the amount due from each respectively," and would respectfully report: That the bonds given by the purchasers of the lands referred to, and which the Mortgages are collateral security for the payment of, have never been deposited in this office, neither have the Mortgages.

The original sum mentioned in the Mortgages as the purchase money exclusive of interest, with the date of the Mortgage can be ascertained but not "the amount due."

The nndersigned, having no clerk, is compelled by law during the session, in addition to his duty as Secretary and Auditor, to copy the several acts passed and furnish them to the State printer within a week after their passage, and also to send copies of memorials and resolutions of instructions to our Representatives in Congress. As this, of itself, is the work of two Legislative clerks, it necessarily occupies much of the time of the Secretary, and with the many other duties required of him, will perhaps render it impossible for him to make the return at as early a day as he could wish. He will, however, after the most pressing of the business now before him is disposed of, lose no time in making the necessary abstract required by the resolution.

With great respect,
Your ob't servant,
THOS. McHUGH,
Secretary of State.

Mr. Williams presented the Petition of Hazen Mooers and 80 others mechanics of Watertown in relation to a State Prison;

Which was read, and referred to the committee on State affairs.

Mr. Fisher presented a remonstrance of John B. Page of St.

Croix County against the incorporation of the Town of Buena Vista;

Which was referred to the committee on incorporations.

Mr. Botkin presented the Petition of J. Morrison and others for a State road therein named;

Which was referred to the committee on roads and bridges.

Mr. Goodell presented the petition of Daniel Dick and others for a State road from the Mission House in the town of Stockbridge to Sheboygan Falls;

Which was referred to the committee on roads and bridges.

Mr. Sholes presented the petition of citizens of the town of Salem, praying for a law to impose an assessment on the property of persons engaged in the liquor trafic;

Which was referred to the committee on expiration and re-enactment of laws.

Mr. Botkin presented the account of Seymour and Varney against the State;

Which was referred to the committee on claims.

Mr. Smith, on leave, introduced

No. 70, (S.) A bill to enable the city of Milwaukee to aid in the construction of a rail road from that city to the Mississi River;

Which was read a first and second time.

Mr. Smith also presented the following resolutions of the People of the city of Milwaukee:

Resolutions of the People of the city of Milwaukee, adopted at a public meeting held at the Court House in the city of Milwaukee on Saturday the 10th of February, 1849.

Resolved, That the people of the several counties, towns and incorporated villages along the route of the proposed Rail Road from Milwaukee to the Mississippi river, are hereby requested and urged to co-operate with us in every proper and practical method in pressing forward the work of its construction, and for that purpose that they, by their proper officers, consent to subscribe for stock and to levy on the property within their limits, a tax equal in amount to the tax proposed to be raised by the City of Milwaukee for the same purpose.

Resolved, That the Legislative Assembly be and is hereby requested to pass a law authorizing the proper officers of the several counties, towns and incorporated villages along the route of said proposed Rail Road, to subscribe for capitol stock in such road and to levy annually a tax on their property within their limits to provide for the payment of such tax.

Resolved, That our Senators and Representatives in the Legislative Assembly be requested to urge the passage of the bill approved by this meeting.

On motion of Mr. Dennis,

Said bill No. 70, (S.) together with the said resolutions were ordered to be printed.

On motion of Mr. Smith,

The said resolutions were referred to the committee on town and county organization.

Mr. Horn from the committee on University and University Lands, to whom was referred

No. 6, (A.) Joint resolutions relative to salaries of officers of the University, and in relation to approving of the proposed site, and plan of the University buildings,

Report the same back without amendment and recommend its passage.

Mr. Willard from the committee on roads and bridges, reported back

No. 56, (A.) A bill to declare certain roads in the town of Auburn to be lawful highways,

Without amendment. Also,

No. 62, (A.) A bill to lay out and establish certain roads therein named,

With an amendment.

And said bill No. 62, (A.) was read a second time. Also,

No. 71, (S.) A bill to authorize Thomas P. Williams and others to build a bridge;

Which was read a first and second times.

Mr. Murphy from the committee on claims, reported

Mr. 72, (S.) A bill to appropriate to William R. Smith a sum therein named;

Which was read a first and second times.

Mr. Horn from the committee on University and University lands to whom was referred the communication of the Secretary of State in relation to trespass on University and School lands, reported bill

No. 73, (S.) A bill to punish trespass on University and School lands;

Which was read a first and second times.

Mr. Kinney from the committee on claims, to whom the same had been referred, reported back

No. 59, (A.) An act to appropriate to N. W. Dean the sum therein named;

With an amendment, and recommend its passage.

And said bill No. 59, [A.] was read a second time.

Mr. Fisher from the committee on engrossed bills reported as correctly engrossed,

No. 53, (S.) A bill in relation to the resignation, vacancies, and supplying vacancies of public officers.

Mr. Sholes from the committee on public printing, reported back without amendment,

No. 47, (S.) A bill to provide for the publication of legal decisions.

A message from the Assembly by their chief clerk:

Mr. President—

I am directed by the Assembly to transmit to the Senate a communication from the Governor to the Senate and Assembly, this day laid before the Assembly, transmitting for their consideration, "Resolutions of the Legislature of Virginia relating to the Institution of Slavery.

The Assembly have adopted the following resolution in which the concurrence of the Senate is requested, viz:

Resolved, By the Senate and Assembly, That the Governor of this State be requested to transmit to the Governor of Virginia to be laid before the legislature of that State, the resolutions passed by the legislature of the State of Wisconsin at its present session, relating to the subject of slavery.

The Assembly have also concurred in the adoption of the following resolution, to wit:

Resolved, By the Senate, (Assembly concurring,) That bill No. 38, (S.) A bill to establish the county seat of La Fayette county, be referred to a joint select committee consisting of the members of both Houses of the Legislature from Lafayette County, with an amendment as follows:

"And the members of the Judiciary committee of the Senate and the members of the judiciary committee of the Assembly."

In which amendment the concurrence of the Senate is requested.

The Governor has informed the Assembly that he did on this day approve, sign, and deposite in the office of the Secretary of State,

"An act to authorize the construction of a bridge across the Fox River."

The following communications, accompanying the message, were read:

Madison, February 15th, 1849.

To the Senate and Assembly:—

At the request of the Governor of Virginia, I herewith transmit for your consideration, "Resolutions of the Legislature of Virginia" relating to the institution of slavery.

NELSON DEWEY.

Richmond, January 23, 1849.

Sir: I have the honor to enclose herewith to you the foregoing resolutions, passed by the Legislature of Virginia, with a request that you will lay the same before the Legislature of your State.

I have the honor to be,
With distinguished consideration,
Your ob't humble serv't,
JOHN B. FLOYD.

To his Excellency,
The Governor of Wisconsin.

RESOLUTIONS OF THE LEGISLATURE OF VA.

Whereas, The institution of Slavery was fully discussed in the convention which formed the constitution of the United States, and the rights of slaveholders recognized and protected by the provisions of that instrument, and without the compromises then solemnly entered into, the union of the States never could have been formed. And *whereas*, The general assembly of Virginia, regarding what is known as the "Wilmot Proviso" as in palpable disregard of the compromises of the constitution, did, on the 8th day of March, 1847, adopt a series of resolutions distinctly indicating the course which the State of Virginia, would pursue, in the event of its passage by the Congress of the U. S., as applicable to territory to be acquired from Mexico: And, *whereas*, The present general assembly have seen, with deep concern, a disposition manifested by the House of Representatives of the United States, to violate the principles embodied in said resolutions, and to make still further aggressions upon the rights of the Southern States. Under these circumstances, this general assembly deem the occasion fit to re-affirm said resolutions, and most respectfully, but most earnestly, to call the attention of all who are attached to the union of the States, to the serious and inevitable consequences which must follow such action upon the part of the general government:

1. *Be it therefore resolved by the General Assembly of Virginia*, That after the fullest re-examination and reconsideration of the resolutions adopted on the 8th of March 1847, by this body, we do consider said resolutions as founded in truth, consonant with the constitution, and conducive to its preservation; and therefore we feel it to be our indispensable duty to adhere to and re-affirm them as follows:

1. *Be it resolved, unanimously, by the General Assembly of Virginia*, That the government of the United States has no control, directly or indirectly, mediately or immediately, over the institution of slavery, so as to impair the rights of the slaveholder, and that in taking any such control, it transcends the limits of its legitimate functions, by destroying the internal organization of the sovereignties who created it.

2. *Resolved, unanimously*, That all territory which may be acquired by the arms of the United States, or yielded by treaty with any foreign power, belongs to the several States of this Union, as their joint and common property, in which each and all have equal rights; and that the enactment of the federal government of any law which should directly, or by its effects prevent the citizens of any State from emigrating with their property, would make a discrimination unwarranted by, and in

violation of the compromises of the constitution and the rights of the States from which such citizens emigrated, and in derogation of that perfect equality that belongs to the several States, as members of this Union, and would tend directly to subvert the Union itself.

3. *Resolved*, That if, in disregard alike of the spirit and principles of the act of Congress, on the admission of the State of Missouri into the Union, generally known as the Missouri Compromise, and of every consideration of justice, of constitutional right and of fraternal feeling, the fearful issue shall be forced upon the country, which must result from the adoption and attempted enforcement of the Wilmot Proviso as an act of the general government, the people of Virginia can have no difficulty in choosing between the only two alternatives that will then remain of abject submission to aggression and outrage on the one hand, or determined resistence on the other, at all hazards and to the last extremity.

4. *Resolved, unanimously*, That the general assembly holds it to be the duty of every man in every section of this confederacy, (if the Union is dear to him,) to oppose the passage of any law, for whatever purpose, by which territory to be acquired may be subject to such a restriction.

5. *Resolved, unanimously*, That the passage of the above mentioned proviso, make it the duty of every slaveholding State, and of all the citizens thereof, as they value their dearest privileges, their sovereignty, their independence and their rights of property, to take firm, united and concerted action in this emergency.

II. *Resolved*, That we regard the passage of a law by the Congress of the United States, abolishing slavery or the slave-trade in the District of Columbia, as a direct attack upon the institutions of the Southern States, to be resisted at every hazard.

III. *Resolved*, That in the event of the passage by Congress of the "Wilmot Proviso" or any law abolishing slavery or the slave-trade in the District of Columbia, the Governor of this commonwealth is requested immediately to convene the legislature of this State, (if it shall have adjourned,) to consider of the mode and measure of redress.

IV. *Resolved*, That the Governor of this Commonwealth be requested to send a copy of these resolutions to each of the States of this Union, and also to our Senators and Representatives in Congress.

Adopted by the General Assembly, January 20th, 1849.

GEORGE W. MANFORD, C. H. D.

The resolution of assembly in relation to the transmission to the Governor of Virginia, of the resolutions of the Legislature of the State of Wisconsin, on the subject of slavery,

Was concurred in.

The amendment of Assembly to resolution in relation to

No. 38, (S.) A bill to establish the county seat of Lafayette county,

Was non-concurred in.

No. 71, (A.) A bill to provide for elections other than town officers,

Being on its third reading,

Mr. Cothren asked the unanimous consent of Senate to strike out Section 14; which was agreed to; and

Mr. Cothren moved to substitute in lieu thereof, section 14 of the printed bill;

Which was agreed to.

On motion of Mr. Kinney, said bill No. 71, (A.) was recommitted to the committee of the whole.

No. 47, (S.) A bill to provide for the publication of legal decisions,

Being on its third reading,

On motion of Mr. Kinney, said bill No. 47, (S.) was recommitted to the committee of the whole.

No. 53, (S.) A bill in relation to the resignation, vacancies, and removals and of supplying vacancies,

Being on its third reading,

Mr. Cothren moved a call of the house.

And the roll being called, Messrs. Dennis and Norton were reported absent.

On motion of Mr. Botkin, Mr. Norton was excused.

Mr. Horn asked that Mr. Dennis be excused;

Which was not agreed to.

Mr. Horn moved that further proceedings on the call be dispensed with;

Which was not agreed to.

And the ayes and noes being called,

Those who voted in the affirmative, were

Messrs. Botkin, Boyd, Horn, Lakin, Merrell, Murphy, Sholes and Willard—8.

Those who voted in the negative, were

Messrs. Chase, Cothren, Fisher, Gardner, Goodell, Kinney, Smith, Sprague and Williams—9.

Mr. Dennis appeared.

Further proceedings on the call were then dispensed with.

Mr. Cothren moved to re-commit said bill No. 53, (S.) to the committee of the whole;

Which was not agreed to.

And the ayes and noes being called for,

Those who voted in the affirmative, were

Messrs. Boyd, Cothren, Goodell, Horn, Murphy, Sholes, Sprague and Williams—8.

Those who voted in the negative, were

Messrs. Botkin, Chase, Dennis, Fisher, Gardner, Kinney, Lakin, Merrill, Smith and Willard—10.

And,

No. 53, (S.) A bill in relation to the resignation, vacancies, and removals and of supplying vacancies,

Was read a third time, passed, and the title agreed to.

Under rule, Senate resolved itself into a committee of the whole on Report of Revisors;

Mr. Dennis in the chair.

After some time spent therein, the committee rose and by their chairman reported progress on

No. 71, (A.) A bill to provide for elections other than town officers; and ask leave to sit again:

Which was granted.

Mr. Goodell on leave offered the following resolution:

Resolved, By the Senate and Assembly, That the Librarian be authorized to distribute one copy of the Journals of the last session of the legislature to each of the members of the last and present legislature;

Which was adopted.

On motion of Mr. Horn,

Senate adjourned until 3 o'clock this afternoon.

SAME DAY 3 O'CLOCK, P. M.

On motion of Mr. Horn,

No. 6, (A.) Joint Resolutions relative to salaries of officers of the University and in relation to the approving of the proposed site and plan of the University buildings,

Was taken up—read a third time, passed and the title agreed to.

Mr. Cothren on leave offered the following resolution:

Resolved, By the Senate and Assembly, That a Joint select committee be appointed consisting of three members of the Senate and five members of the Assembly whose duty it shall be to compile the Statute laws of the State which have not been acted upon by the commissioners to revise the laws; that the said committee divide the laws to be compiled and acted upon at the present session into convenient chapters and make such changes and alterations as will make them conform to, and harmonize with the change from a territorial to a State form of Government; that they report the same as speedily as possible to the Legislature for action, and that they be authorized to employ two or more clerks to aid in doing the necessary writing for the accomplishment of the said work;

Which was considered and adopted.

Under rule, Senate again resolved itself into a committee of the whole on Report of Revisers;

Mr. Gardner in the chair.

After some time spent therein the committee rose and by their chairman reported

No. 71, (A.) A bill to provide for elections other than town officers,

With amendments.

And the question being on concurring in the amendments of the committee of the whole, The amendment to section 18 was concurred in.

And the ayes and noes being called for,

Those who voted in the affirmative, were

Messrs. Botkin, Boyd, Chase, Dennis, Fisher, Gardner, Goodell, Kinney, Lakin, Merrell, Sholes, Smith, Sprague, Willard and Williams—15.

Those who voted in the negative, were

Messrs. Cothren, Horn and Murphy—3.

The amendment to section 12 was concurred in.

And the ayes and noes being called for,

Those who voted in the affirmative, were

Messrs. Botkin, Boyd, Cotheren, Dennis, Fisher, Gardner, Horn, Kinney, Lakin, Murphy, Smith, Sprague and Willard—13.

Those who voted in the negative, were

Messrs. Chase, Goodell, Merrell, Sholes and Williams—5.

The amendment to section 94 being under consideration,

Mr. Botkin moved to amend the same by inserting as follows:

"But shall not be held after the fourth day of July succeeding,"

Which was not agreed to.

The amendment of the committee of the whole to sec. 94 was then concurred in. And said bill,

No. 71, (A.) A bill to provide for elections other than town officers,

Was read a third time, passed and title agreed to.

The following communication was laid before the Senate from the Revisers:

MADISON, Feb. 16, 1849.

Hon. John E. Holmes,
Lieut. Governor, &c.

We herewith transmit to you several chapters of our Report on the revision of the laws which you will please lay before the Senate.

Very respectfully your ob't serv'ts,
C. M. BAKER,
M. FRANK,
C. S. JORDAN.

"Of the Legislature."

"Proceedings to compel the delivery of Books and Papers by Public officers to their successors."

"Of the divisions of towns."

"Of the distribution of the income of the school fund."

"Of Strays."

"Of the distribution of unclaimed property."

Mr. Boyd from the committee on enrolled bills reported as follows:

The committee uo enrolled bills would report

No. 51, (S.) A bill for the distribution of school money;

No. 13, (A.) A bill to amend an act entitled "an act to prescribe the mode of proceeding in chancery;

No. 23, (A.) A bill in relation to school district number No. eleven in the town of Waukesha;

No. 36, (A.) A bill to authorize the construction of a dam across the Milwaukee River;

No. 34, (A.) A bill to vacate the town plat of the town of victory in the county of Dodge;

No. 19, (A.) A bill to appropriate to William H. Sullivan the sum therein named;

No. 60, (A.) A bill to extend the time of collecting and returning taxes in the town of Eagle in Waukesha county;

No. 41, (A.) A bill to change the name of Lucy Ann Brown Leland to Lucy Ann Brown, and that the same be made heir at law to Benjamin Brown;

No. 22, (A.) A bill to legalize the proceedings of a special town meeting in the town of Calumet;

As correctly enrolled.

JOHN W. BOYD, Chairman.

On motion of Mr. Horn,

The Senate adjourned until to-morrow morning at 11 o'clock.

SATURDAY, February 17, 1849.

Prayer by the Rev. Mr. Reed.

The reading of the Journal of yesterday was dispensed with.

Mr. Lakin from the committee of conference on the disagreeing vote of the two Houses on the amendments of Assembly to bill

No. 48, (S.) A bill in relation to State officers,

Reported as follows:

The committee of conference to whom was referred bill No. 48, (S.) and the disagreeing vote of the two houses upon the 5th and 8th amendments made to the same by the Assembly, Report and recommend that the fifth amendment be so amended that the words proposed by the Assembly be stricken out, and the words "payable quarterly in advance" be inserted after the word "annum" in the 43d section of said bill.

And your committee recommend that the eigth amendment proposed by the Assembly to said bill be so modified that sections 53 and 54 be stricken out instead of sections 54 and 55.

GEORGE W. LAKIN, } of the Senate.
E. T. GARDNER, }
M. M. STRONG, } of the Assembly.
HIRAM BARBER, }

And the said report being under consideration,

The first recommendation was adopted; and

The second recommendation was adopted.

Under rule, the Senate resolved itself into a committee of the whole on bill of Revisers,

No. 20, (A.) A bill relating to towns and town officers;

Mr. Cothren in the chair.

After some time spent therein, the committee rose and by their chairman reported progress and ask leave to sit again;

Which was granted.

A message from the Assembly by their chief clerk:

Mr. President—

I am directed to present for your signature,

"Joint resolution relative to the printing of the Laws;"

"An act to amend 'an act to prescribe the mode of proceeding in Chancery;' "

"An act in relation to school district number eleven in the town of Waukesha;"

"An act to authorize the construction of a dam across the Milwaukee river;"

"An act to vacate the town plat of the town of Victory, in the county of Dodge;"

"An act to appropriate to William H. Sullivan the sum therein named;"

"An act to extend the time for collecting and returning taxes in the town of Eagle in Waukesha county;"

"An act to legalize the proceedings of a special town meeting in the town of Calumet;"

"An act to change the name of Lucy Ann Brown Leland to Lucy Ann Brown, and that the same be made heir at law to Benjamin Brown;"

And

"An act for the distribution of school moneys;"

Which have been signed by the speaker of the Assembly.

The Assembly have concurred in the first, third, fourth and sixth amendments of the Senate to

No. 71, (A.) A bill to provide for elections other than town officers,

And have non-concurred in the second and fifth amendments to said bill.

On motion of Mr. Sholes,

Senate adjourned until 3 o'clock this afternoon.

SAME DAY 3 O'CLOCK, P. M.

Mr. Kinney presented the accounts of M. Frank, C. S. Jordan and James Simmons, the commissioners to revise the laws, and their clerks—together with an accompanying bill,

No. 74, (S.) An act to provide for the payment of the commissioners to revise the Laws, and their clerk, the sums therein named;

Which was read a first and second times, and referred, together with said accounts to the committee on claims.

Mr. Cothren from the committee on the Judiciary to whom had been referred bill,

No. 29, (A.) A bill to cede jurisdiction to the United States over lands to be occupied as sites of light-houses within this State,

Reported the same back without amendment and recommend that the said bill lie on the table.

Mr. Williams from the committee on incorporations, to whom was referred the petition of Eben Blackley and others, asking for the incorporation of Dane Academy, reported bill

No. 75, (S.) A bill to incorporate Dane Academy;

Which was read a first and second times.

Mr. Williams from the committee on incorporations, made the following report:

The committee on incorporations, to whom was referred the petition or Henry C. Wheeler and 27 others, praying for the passage of an act to incorporate the Spring Valley Academical Association—also bill No. 64, (A.) to incorporate said Association have instructed me to report said bill back to the Senate with amendments, and ask the concurrence of the Senate therein.

MYRON B. WILLIAMS,
Chairman of Com. on Incorporations.

And

No. 64, (A.) A bill to incorporate the Spring Valley Academical Association,

Was read a second time.

Mr. Williams from the committee on incorporations, to whom the subject had been referred, reported back bill

No. 66, (A.) A bill to vacate the town plat of the town of Oconomowoc,

Without amendment; and said bill No. 66, (A.) was returned to the general file.

The message of the Assembly was taken up

And the question being on receding from the second and fifth amendments of Senate to bill

No. 71, (A.) A bill to provide for elections other than town officers;

Which were non-concurred in by Assembly.

Senate receded from its second amendment, and Senate receded from its fifth amendment.

And the ayes and noes being called for,

Those who voted in the affirmative, were

Messrs. Botkin, Boyd, Chase, Cothren, Dennis, Fisher, Horn, Murphy, Sholes, Sprague and Willard—11.

Those who voted in the negative, were

Messrs. Goodell, Lakin, Merrell, Norton, Smith and Williams—6.

On motion of Mr. Williams,

Senate again resolved itself into a committee of the whole on

No. 20, (A.) A bill relating to towns and town officers;

Mr. Cothren in the chair.

After some time spent therein, the committee rose and by their chairman reported said bill No. 20, (A.) with amendments.

And the question being on concurring in the said amendments made in committee of the whole,

They were concurred in.

Mr. Botkin moved to further amend said bill as follows:

In section 29th, 4th line, strike out all after the word "oath" and insert as follows:

"You do solemnly swear (or affirm, as the case may be,) that you will true and perfect answers make to such questions as may be put to you touching your right and qualifications to vote at the present election. Then the inspectors of election shall proceed to ask said elector all the necessary questions as to his qualifications and right to vote at said election; and if they or a majority of them shall be satisfied that said elector is duly qualified to vote, they shall receive his ballot, otherwise it shall be rejected;"

Which was not agreed to.

And the ayes and noes being called,

Those who voted in the affirmative, were

Messrs. Botkin, Chase, Fisher, Lakin, Merrell and Norton 6.

Those who voted in the negative, were

Messrs. Boyd, Cothren, Dennis, Goodell, Horn, Kinney, Murphy, Sholes, Smith, Sprague, Willard and Williams—12.

On motion of Mr. Dennis,

Rules were suspended, and said bill No. 20, (A.) was ordered to third reading now; and said bill

No. 20, (A.) A bill relating to towns and town officers,

Was read a third time, passed and title agreed to.

Mr. Norton on leave presented the petition of Z. S. Doty and letter of H. O. Wilson, in relation to vacating certain blocks in Janesville—and also moved that bill

No. 12, (A.) A bill to vacate part of the town plat of the village of Janesville in Rock county,

Be taken up from the table and referred to a select committee, which was agreed to; and said bill No. 12, (A.) and accompanying documents were referred to a committee consisting of Messrs. Norton, Botkin and Chase.

The President laid before Senate the following communication:

SECRETARY'S OFFICE, Madison,
Feb'y 17, 1849.

Hon. John E. Holmes,
Lieutenant Governor, &c.—

Sir: I have the honor herewith to transmit to the Senate an abstract, showing the amount for which the mortgages recorded in the Record Book of the late Register of Canal Lands was given, together with the name of the Mortgagor and the date of the Mortgage.

With great respect,
Your ob't servant,
THOS. McHUGH,

Which communication and accompanying documents were ordered printed.

Mr. Horn moved that Senate adjourn;

Which was not agreed to.

On motion of Mr. Kinney,

Senate resolved itself into a committee of the whole on the general file of bills;

Mr. Kinney in the Chair.

After some time spent therein the committee rose and by their chairman reported

No. 64, (S.) An act to provide for the removal of the county seat of Washington County and for the permanent location thereof;

With a substitute as an amendment.

Also bill

No. 25, (S.) A bill to amend an act entitled "an act to incorporate the city of Milwaukee," approved January 31, 1846;

Without amendment.

Also bill

No. 47, (S.) A bill to provide for the publication of legal decisions;

With amendments.

On motion of Mr. Smith, bill No. 25, (S.) was laid on the table.

The amendments to No. 47, (S.) were concurred in, and Mr. Kinney moved to further amend said bill by striking out, of the second section, all that relates to distribution to State officers;

Which was not agreed to.

And the ayes and noes being called for,

Those who voted in the affirmative, were

Messrs. Botkin, Chase, Fisher, Goodell, Kinney, Murphy and Norton—7.

Those who voted in the negative, were

Messrs. Boyd, Cothren, Dennis, Horn, Lakin, Merrell, Sholes, Smith, Sprague, Willard and Williams—11.

On motion of Mr. Kinney, said bill

No. 47, (S.) A bill to provide for the publication of legal decisions,

Was recommitted to the committee of the whole.

The amendments of the the committee of the whole to bill No. 64, (S.) was concurred in; and said bill

No. 64, (S.) An act to provide for the removal of the county seat of Washington county and for the permament location thereof;

Was ordered to be engrossed and read a third time.

Mr. Norton from the select committee to whom was referred No. 12 (A.) and other papers relating thereto, providing for vacating a part of ~~the~~ town plat of the village of Janesville, reported as follows:

That they have had the same under consideration and have instructed me to report the same back to the Senate and unanimously recommend the passage of said bill.

O. W. NORTON, Chairman.

Mr. Boyd from the committee on enrolled bills, made the following report:

The committee on enrolled bills would report that they have this day presented to the Governor for his approval,

"A memorial to Congress on the subject of a mail route from Waukesha to Cedarburg;"

"An act for the distribution of school moneys;"

"Joint resolutions relative to seals;"

"An act to legalize the proceedings of a special town meeting in the town of Calumet;"

"An act to vacate the town plat of the town of Victory in the county of Dodge;"

"An act to authorize the construction of a dam across the Milwaukee river;"

"An act to extend the time for collecting and returning taxes in the town of Eagle, Waukesha county;"

"An act in relation to school district number eleven in the town of Waukesha;"

"An act to appropriate to William H. Sullivan the sum therein named;"

"An act to amend an act entitled 'an act to prescribe the mode of proceeding in Chancery;'"

"An act to change the name of Lucy Ann Brown Leland to Lucy Ann Brown, and that the same be made heir at law of Benjamin Brown;"

"Joint resolutions relative to the printing of the Laws;"

On motion of Mr. Horn,

The Senate adjourned until 10 o'clock on Monday morning.

MONDAY, February 19, 1849.

Prayer by Rev. Mr. Lord.

On motion of Mr. Botkin,

The reading of the journal of Saturday was dispensed with.

Mr. Smith, on leave, introduced Bill

No. 76, (S.) a bill to amend an act entitled an act to incorporate the Merchants' Mutual Insurance Company of Milwaukee,

Which was read a first and second times.

Mr. Smith, on leave, introduced Bill

No. 77, (S.) a bill for the incorporation of the Methodist Episcopal Church,

Which was read a first and second times; and

On motion of Mr. Norton,

Was referred to the committee on incorporations.

Mr. Fisher from the committee on engrossed bills, reported as correctly engrossed,

No. 64, (S.) an act to provide for the removal of the county seat of Washington county, and for the permanent location thereof.

Mr. Botkin presented the petition of R. Morrison and others, in relation to school districts in the town of Verona, Dane county,

Which was referred to the committee on Education and School lands.

Mr. Botkin presented the account of H. G. Bliss against the State,

Which was referred to the committee on claims.

No. 64, (S.) a bill to amend an act entitled an act to provide for the removal of the county seat of Washington county, and for the permanent location thereof,

Being on its third reading,

Mr. Kinney moved to lay said bill on the table,

Which was not agreed to.

Mr. Chase moved a call of the House,

And the roll being called, Mr. Norton was reported absent.

Mr. Norton having appeared in his seat,

Further proceedings in the call were dispensed with.

And the question recurring on the passage of said bill No. 64, (S.)

It was read a third time and passed.

And the ayes and noes being called for,

Those who voted in the affirmative, were

Messrs. Cothren, Dennis, Fisher, Horn, Lakin, Murphy, Smith, Sprague and Williams—9.

Those who voted in the negative, were

Messrs. Botkin, Boyd, Chase, Goodell, Kinney, Merrell, Norton, Sholes and Willard—9.

The President voted in the affirmative.

The title of the bill was then agreed to.

On motion of Mr. Norton,

Senate resolved itself into a committee of the whole, on the general file of bills,

Mr. Smith in the chair.

After some time spent therein, the committee rose and by their chairman reported

No. 62, (A.) a bill to lay out and establish certain roads therein named; and

No. 47, (S.) a bill to provide for the publication of legal decisions,

With amendments; also

No. 12, (A.) a bill to vacate part of the town plat of the village of Janesville, in Rock county.

No. 24, (A.) a bill to extend the boundaries of the county of Marquette.

No. 38, (A.) a bill to authorise the city of Racine to aid in the construction of a plank road; and

No. 54, (S.) an act to amend an act entitled an act to prescribe the mode of proceeding in chancery;

Without amendment;

And reported progress on the general file, and asked leave to sit again,

Which was granted.

And the question being on concurring in the amendments of the committee of the whole, to bills No. 62, (A.) and 47, (S.) as severally reported,

The amendments were severally concurred in, and

No. 62, (A.) a bill to lay out and establish certain roads therein named,

Was ordered to be read a third time.

No. 47, (S.) a bill to provide for the publication of legal decisions,

Was ordered to be engrossed and read a third time.

Mr. Norton moved to amend bill

No. 12, (A.) a bill to vacate part of the Town Plat of Janesville, in Rock county, as follows:

Add to section first,

"And all the ground embraced within said Blocks may be disposed of in such manner, and for such purposes as the Board of Supervisors of Rock county or a majority of them may direct;

Which was agreed to; and said bill

No. 12, (A.) was ordered to be read a third time.

On motion of Mr. Merrell, bill

No. 24, (A.) a bill to extend the boundaries of the county of Marquette,

Was laid on the table.

No. 54, (S.) an act to amend an act entitled an act to prescribe the mode of proceeding in chancery,

Was ordered to be engrossed and read a third time.

No. 38, (A.) a bill to authorise the city of Racine, to aid in the construction of a plank road,

Was ordered to be read a third time.

On motion of Mr. Horn,

The rules were suspended in relation to said bill No. 38, (A.) and it was read a third time now, and passed.

And the ayes and noes being called for,

Those who voted in the affirmative, were

Messrs. Botkin, Boyd, Cothren, Dennis, Fisher, Goodell, Horn, Kinney, Merrell, Norton, Smith, Sprague, Willard and Williams—14.

Those who voted in the negative, were

Messrs. Chase, Murphy and Sholes—3.

The title of the bill was agreed to.

Mr. Boyd from the committee on enrolled bills, reported as correctly enrolled,

No. 35, (S.) a bill to authorise H. S. Allen, Stover Rines, Moses Rines and their associates, to construct and maintain a Boom in Chippewa river, in the county of Chippewa.

On motion of Mr. Goodell,

Senate adjourned until 3 o'clock this afternoon.

SAME DAY 3 O'CLOCK, P. M.

Mr. Horn moved a call of the House;

And the roll being called, Mr. Williams was reported absent.

Mr. Williams having appeared in his seat,

Further proceedings in the call were dispensed with.

Mr. Chase moved that the Chief Clerk be directed to request the Assembly to return to the Senate for further action, Bill

No. 64, (S.) an act to provide for the removal of the county seat of Washington county, and for the permanent location thereof,

Which was not agreed to.

And the ayes and noes being called for,

Those who voted in the affirmative, were

Messrs. Botkin, Chase, Goodell, Merrell, Norton and Sholes, —6.

Those who voted in the negative, were

Messrs. Boyd, Cothren, Dennis, Fisher, Horn, Kinney, Lakin, Murphy, Smith, Sprague, Willard and Williams—12.

On motion of Mr. Dennis,

Senate resolved itself into a committee of the whole, on bill

No. 60, (S.) a bill to organise County Courts,

Mr. Kinney in the Chair;

After some time spent therein, the committee rose, and by their chairman, reported progress on said bill No. 60, (S.) and asked leave to sit again;

Which was granted.

Mr. Boyd from the committee on enrolled bills, reported as correctly enrolled,

No. 6, [A.] Joint resolutions relative to the salaries of officers of the University, and in relation to approving of the proposed site and plan of the University Buildings.

A message from the Assembly by their chief clerk:

Mr. President—

The Assembly have adopted the report recommended by the committee of conference on the disagreeing vote of the Senate and Assembly to

No. 48, [S.] a bill in relation to State Officers.

Mr. Norton moved that the Senate adjourn,

Which was not agreed to.

On motion of Mr. Cothren,

Senate adjourned until 9 o'clock to-morrow morning.

TUESDAY, February 20, 1849.

Mr. Norton took the chair, and

On motion of Mr. Smith, a call of the house was ordered.

And the roll being called, Messrs. Chase, Horn, Kinney, Lakin and Sholes were reported absent.

And the absentees having appeared in their seats, on motion of Mr. Kinney, further proceedings in the call were dispensed with.

Prayer by the Rev. Mr. Read.

On motion of Dennis,

The reading of the Journal of yesterday was dispensed with.

Mr. Lakin from a majority of the joint select committee appointed to confer with a committee of the Board of Supervisors of the county of Dane in relation to the erection of a Court

House, &c., reported as follows: (see Appendix,) accompanied with bill

No. 78, (S.) A bill authorizing the erection of a Court House upon the public grounds:

Also reported the report of the minority of the said joint select committee as follows: (See Appendix.) Which said Reports of the majority and minority of said joint select committee were ordered to be printed. And said bill

No. 78, (A.) A bill authorizing the erection of a Court House upon the public grounds,

Was read a first and second times, and ordered to be printed.

Mr. Fisher from the committee on engrossed bills reported as correctly engrossed,

No. 47, (S.) A bill to provide for the publication of legal decisions;

And,

No. 54, (S.) An act to amend an act entiltled "an act to prescribe the mode of proceeding in Chancery."

And said bill No. 47, (S.) was read a third time and passed.

And the ayes and noes being called,

Those who voted in the affirmative, were

Messrs. Botkin, Cothren, Dennis, Fisher, Kinney, Lakin, Norton, Sprague, Willard and Williams—10.

Those who voted in the negative, were

Messrs. Boyd, Chase, Goodell, Merrell, Murphy and Smith —6.

The title of the bill was agreed to.

And said bill No. 54, (S.) was read a third time and passed.

And the ayes and noes being called,

Those who voted in the affirmative, were

Messrs. Botkin, Boyd, Cothren, Dennis, Fisher, Goodell, Horn, Lakin, Merrell, Murphy, Smith, Sprague, Willard and Williams—14.

Those who voted in the negative, were

Messrs. Chase, Kinney, Norton and Sholes—4.

The title of the bill was agreed to.

No. 12, (A.) A bill to vacate part of the town plat of the village of Janesville in Rock County,

Was read a third time, passed and the title agreed to.

No. 62, (A.) A bill to lay out and establish certain roads therein named,

Being on its third reading,

On motion of Mr. Dennis, said bill No. 62, (A.) was re-committed to the committee on roads and bridges.

On motion of Mr. Cothren,

Senate resolved itself into a committee of the whole on bill No. 60, (S.) A bill to organize county courts.

After some time spent therein the committee rose and by their chairman reported said bill No. 60, (S.) with amendments.

And the question being on concurring in the amendments of the committee of the whole,

They were concurred in. And said bill No. 60, (S.) was, on motion of Mr. Cothren, re-committed to the select committee, consisting of Messrs. Cothren, Botkin and Smith.

Mr. Cothren asked to be excused from further attendance in Senate this day;

Which was granted.

A message from the Assembly by their chief clerk:

Mr. President—

The Governor has informed the Assembly that he did, on the 17th instant, approve, sign and deposite in the office of the Secretary of State,

"An act to change the name of Lucy Ann Brown Leland to Lucy Ann Brown, and that the same be made heir at law of Benjamin Brown;"

"An act to appropriate to William H. Sullivan the sum therein named;".

"An act to authorize the construction of a dam across the Milwaukee river;"

"An act to legalize the proceedings of a special town meeting in town of Calumet;"

"An act in relation to school district number one in the town of Waukesha;"

"An act to amend an act entitled 'an act to prescribe the mode of proceeding in Chancery;'"

"An act to vacate the town plat of the town of Victory in the county of Dodge;"

"An act to extend the time for collecting and returning taxes in the town of Eagle, Waukesha county;"

And

"Joint resolutions relative to seals."

The Assembly have passed

No. 54, (A.) A bill to organize the county of St. Croix for judicial purposes, and to attach the county of La Pointe thereto for such purposes;

In which the concurrence of the Senate is requested.

The Assembly have also passed

No. 61, (S.) A bill to appropriate to Beriah Brown the sums therein named,

Without amendment; and

No. 57, (S.) A bill in relation to counties and county officers,

With sundry amendments;

In which the concurrence of the Senate is requested.

The Assembly insist on their amendment made to resolution relative to referring bill No. 38, (S.) to joint select committee; and have concurred in the adoption of the following resolution without amendment, to wit:

Resolved, by the Senate and Assembly, That a joint select committee be appointed consisting of three members of the Senate and five members of the Assembly, whose duty it shall be to compile the Statute laws of the State which have not been acted upon by the Commissioners to revise the laws; that the said committee divide the laws to be compiled and acted upon at the present session into convenient chapters, and make such changes and alterations as will make them conform to and harmonize with, the change from a Territorial to a State form of government; that they report the same as speedily as possible to the legislature for action, and that they be authorized to employ two or more clerks to aid in doing the necessary writing for the accomplishment of said work.

The Assembly have also concurred in the adoption of the following resolution, to wit:

Resolved, by the Senate and Assembly, That the Librarian be authorized to distribute one copy of the Journals of the last session of the legislature to each of the members of the past and present legislature;

With an amendment as follows, viz:

"And also one copy to each of the officers of the legislature;"

In which amendment the concurrence of the Senate is requested.

I am directed to present for your signature,

"An act to authorize H. S. Allen, Stover Rines, Moses Rines and their associates to construct a boom in the Chippewa river, in the county of Chippewa;"

And

"Joint Resolutions relative to salaries of officers of the University and in relation to the approving of the proposed site and plan of the University buildings;"

Which have been signed by the Speaker of the Assembly.

And the said message having been taken up, and being under consideration,

The President announced Messrs. Cothren, Lakin and Dennis as a joint select committee on part of Senate to compile the Statute laws which have not been acted on by the Commissioners to revise the laws.

No. 54, (A.) A bill to organize the county of St. Croix for judicial purposes, and to attach the county of La Pointe thereto for such purposes;

Was read a first and second times.

The amendments of Assembly to

No. 57, (S.) A bill in relation to counties and county officers,

Being under consideration,

On motion of Mr. Chase, the said amendments were separately taken up; whereupon, the 8th, 14th, 15th and 16th amendments were severally concurred in.

And the 2nd amendment was non-concurred in,

And the ayes and noes being called for,

Those who voted in the affirmative, were

Messrs. Fisher, Kinney, Murphy, Sholes and Smith—5.

Those who voted in the negative, were

Messrs. Botkin, Boyd, Chase, Dennis, Goodell, Horn, Lakin, Merrell, Norton, Sprague, Willard and Williams—12.

And the 9th amendment was non-concurred in.

And the ayes and noes being called for,

Those who voted in the affirmative, were

Messrs. Horn, Kinney, Sholes and Willard—4.

Those who voted in the negative, were

Messrs. Botkin, Boyd, Chase, Dennis, Fisher, Goodell, Lakin, Merrell, Murphy, Norton, Smith, Sprague and Williams—13.

And the 1st, 3d, 4th, 5th, 6th, 7th, 10th, 11th, 12th, 13th, 17th, 18th, 19th and 20th amendments were severally non-concurred in.

The amendment to the resolution in relation to the distribution of the Journals of the last session of the legislature,

Was concurred in.

Mr. Murphy moved that Senate adhere to their non-concurrence in the amendment of Assembly to

"Resolution in relation to referring No. 38, (S.) to a joint select committee;"

Which was agreed to.

On motion of Mr. Botkin, leave of absence was granted to Mr. Norton.

A message from the Assembly by their chief clerk:

Mr. President:—

The Assembly have concurred in the amendments of the Senate to

No. 20, (A.) A bill relating to towns and town officers;

And have passed

No. 53, (S.) A bill in relation to the resignations, vacancies, and removals, and of supplying vacancies,

With sundry amendments;

In which the concurrence of the Senate is requested.

On motion of Mr. Horn,

Senate adjourned until 3 o'clock this afternoon.

SAME DAY 3 O'CLOCK, P. M.

A message from the Governor:

To the Senate:

"An act entitled an act for the distribution of school moneys," and

"A memorial to Congress on the subject of a mail route from Waukesha to Cedarburg;"

Were, on the 17th inst., approved and signed by me and deposited in the office of the Secretary of State.

NELSON DEWEY.

Executive Department,
February 19th, 1849.

The message from the Assembly was taken up; and the question being on on concurring in the amendments of Assembly to bill

No. 53, (S.) A bill in relation to the resignations, vacancies, and removals, and of supplying vacancies,

The first, second and third amendments were severally concurred in.

On motion of Mr. Lakin,

Senate resolved itself into a committee of the whole, on the general file of bills,

Mr. Sholes in the chair.

After some time spent therein, the committee rose and by their chairman reported

No. 58, (S.) A bill to appropriate the sum of money therein named;

No. 52, (S.) A bill supplementary to an act to incorporate the Milwaukee Mutual Fire Insurance Company, approved Dec. 27, 1837, and an act to amend an act to incorporate the Milwaukee Mutual Fire Insurance Company, approved Feb. 4, 1847.

No. 72, (S.) A bill to appriate to William R. Smith the sum therein named;

No. 54, (A.) A bill to organize the county of St. Croix for judicial purposes, and to attach the county of La Pointe thereto for such purposes;

No. 56, (A.) A bill to declare certain roads in the town of Auburn to be lawful highways;

And

No. 66, (A.) A bill to vacate the town plat of the town of Oconomowoc,

Without amendments. Also,

No. 69, (S.) An act to prescribe certain duties of the Attorney General of the State and the District Attorney of Milwaukee cnunty;

No. 64, (A.) A bill to incorporate the Spring Valley Adademical Association;

No. 59, (A.) An act to appropriate to N. W. Dean the sum therein named;

And,

No. 40, (A.) An act to prevent obstructions of the Wisconsin River and its tributary streams;

With amendments to each;

And reported progress on the general file of bills and asked leave to sit again;

Which was granted.

And said bills No. 72, (S.) and No. 52, (S.) were severally ordered to be engrossed and read a third time.

The amendments of committee of the whole to bill No. 69, (S.) were concurred in; and said bill No. 69, [S.] was ordered to be engrossed and read a third time.

On motion of Mr. Kinney, bill No. 58, [S.] was laid on the table.

Bills No. 54, [A.] No. 56, [A.] and No. 66, [A] were severally ordered to be read a third time.

The amendments of the committee of the whole to bills No. 40, [A.] and No. 64, [A.] were severally concurred in; and said bills No. 40, [A.] and No. 64, [A.] were severally ordered to be read a third time.

The amendments of committee of the whole to bill No. 59, [A.] was non-concurred in; and said bill No. 59, [A.] was ordered to be read a third time.

Mr. Boyd from the committee on enrolled bills reported as correctly enrolled,

No. 61, (S.) A bill to appropriate to Beriah Brown the sums therein named,

And,

No. 38, (A.) a bill to authorise the city of Racine, to aid in the construction of a plank road.

Mr. Lakin asked and obtained leave of absence for himself from to-morrow morning.

On motion of Mr. Willard, the Senate adjourned until tomorrow morning at 9 o'clock.

WEDNESDAY, February 21, 1849.

Prayer by the Rev. Mr. Penman.

The Journal of yesterday was read.

Mr. Botkin presented the petition of citizens of town No. 7, Range 10, Dane county, for the organization of the town of Peru; which was referred to the committee on town and county organization.

Mr. Sholes presented the petition of E. S. Fowles and others, citizens of Dodge county, on the subject of division of certain towns in said county;

Which was referred to the committee on town and county organization.

Mr. Sholes presented the petition of Anson Pease and others, citizens of Racine county, praying that Justices be limited in civil cases to the jurisdiction of their own towns;

Which was referred to a select committee, consisting of Messrs. Sholes, Kinney and Willard.

Mr. Sholes presented 3 petitions of E. S. Comstock and [illegible]6 others, F. Bell and 54 others, Levi Russell and 85 others for a reduction of millers tolls;

Which were referred to the committee on expiration and reenactment of laws.

Mr. Williams on leave introduced bill

No. 79, (S.) A bill to incorporate the village of Watertown;

Which was referred to the committee on incorporations.

The following bills,

No. 54, (A.) A bill to organize the county of St. Croix for judicial purposes, and to attach the county of La Pointe thereto for such purposes;

No. 56, (A.) A bill to declare certain roads in the town of Auburn to be lawful highways;

No. 66, (A.) A bill to vacate the town plat of the town of Oconomowoc;

No. 40, (A.) An act to prevent obstructions of the Wisconsin river and its tributary streams;

No. 64, (A.) A bill to incorporate the Spring Valley Academical Association;

Were severally read a third time, passed and their titles severally agreed to.

No. 59, (A) An act to appropriate to N. W. Dean the sum therein named,

Was read a third time and passed.

And the ayes and noes being called for,

Those who voted in the affirmative, were

Messrs. Botkin, Boyd, Chase, Cothren, Dennis, Fisher, Goodell, Kinney, Merrell, Murphy, Smith, Sprague and Willard—13.

Those who voted in the negative, were

Messrs. Sholes and Williams—2.

The title of the bill was agreed to.

On motion of Mr. Kinney, bill

No. 58, (S.) A bill to appropriate the sum of money therein named, was taken up and being under consideration, Mr. Kinney moved to amend the said bill as follows:

Strike out all after the word "sum of" and insert "one hundred and fifty dollars is hereby appropriated as a contingent fund to be used by the Governor at his discretion in procuring lights for the use of the legislature and State officers."

And the same being under consideration,

Mr. Botkin moved to amend the amendment as follows:

Strike out the word "Governor" and insert "the chief clerks of the two houses;"

Which was not agreed to.

Mr. Horn moved to amend the amendment by inserting after the word "lights" the words "in the heads, and;"

Which was not agreed to.

And the question recurring on the amendment—it was agreed to.

Mr. Chase moved that the bill be indefinitely postponed;

Which was not agreed to.

And the ayes and noes being called for,

Those who voted in the affirmative, were

Messrs. Botkin, Chase, Horn and Williams—4.

Those who voted in the negative, were

Messrs. Boyd, Cothren, Dennis, Goodell, Kinney, Merrell, Murphy, Sholes, Smith and Willard—10.

Mr. Botkin offered further to amend said bill by the following as a substitute:

"That the chief Clerks of the Senate and Assembly be and they are hereby directed to purchase of Messrs. Cunningham and Co. of Milwaukee fifteen boxes of Sperm Candles, best quality, at 37 cents per pound, delivered at Madison, for the use of the legislature."

Which was not adopted.

And the ayes and noes being called for,

Those who voted in the affirmative, were

Messrs. Botkin, Chase, Merrell and Sholes—4.

Those who voted in the negative, were

Messrs. Boyd, Cothren, Dennis, Fisher, Goodell, Horn, Kinney. Murphy, Smith, Sprague, Willard and Williams—12.

And the question being on ordering said bill to be engrossed and read a third time,

On motion of Mr. Dennis,

Rules were suspended, and said bill No. 58, [S.] was ordered to a third reading now; and

No. 58, (S.) A bill to appropriate the sum of money therein named,

Was read a third time and passed.

And the ayes and noes being called,

Those who voted in the affirmative, were

Messrs. Boyd, Cothren, Dennis, Fisher, Goodell, Kinney, Merrell, Murphy, Sholes, Smith, Sprague and Willard—12.

Those who voted in the negative, were

Messrs. Botkin, Chase, Horn and Williams—4.

The title of the bill was agreed to.

On motion of Mr. Dennis,

And under rule, Senate resolved itself into a committee of the whole on the report of the joint select committee on report of Revisers, on bill in relation to the legislature;

Mr. Boyd in the chair.

After some time spent therein, the committee rose, and by their chairman reported bill

No. 80, (S.) A bill in relation to the legislature,

With sundry amendments.

And, on motion of Mr. Dennis, said bill No. 80, [S.] was recommitted to the committee of the whole.

The Senate resolved itself into a committee of the whole on the general file of bills;

Mr. Kinney in the Chair.

After some time spent therein the committee rose and by their chairman reported

No. 55, (S.) An act to prescribe certain duties of the Board of Public Works, and to amend an act entitled "an act to provide for the improvement of the Fox and Wisconsin rivers, and connecting the same by a Canal," approved August 8, 1848;

And,

No. 67, (S.) a bill to provide for a final settlement with the Milwaukee and Rock River Canal Company;

With amendments to each,—and

No. 65, (S.) a bill to provide for the taking of a census of the inhabitants of the State;

No. 66, (S.) a bill to provide for laying out a certain road in the county of Dane;

No. 68, (S.) a bill to provide for laying out a road in Rock and Green County;

No. 71, (S.) a bill to authorize Thomas P. Williams and others to build a bridge;

And,

No. 73, (S.) a bill to punish trespass on University and school lands;

Without amendments;

And reported progress on the general file of bills, and ask leave to sit again;

Which was granted.

And the amendments of the committee of the whole to No. 55, [S.] were concurred in, and and said bill No. 55, [S,] was on motion of Mr. Kinney, recommitted to the committee of the whole.

No. 66, (S.) and No. 68, (S.) were, on motion of Mr. Kinney, re-committed to the committee on roads and bridges.

On motion of Mr. Kinney,

The rules were suspended in relation to bill No. 73, (S.) and said bill was ordered to a third reading now, and said bill No. 73, [S.] was read a third time, passed and the title agreed to.

On motion of Mr. Horn, bill No. 65, [S.] was laid on the table.

On motion of Mr. Kinney,

The rules were suspended in relation to bill No. 71, (S.) and said bill was ordered to its third reading now, and said bill No. 71, [S.] was read a third time, passed and the title agreed to.

On motion of Mr. Dennis, Mr. Lakin was excused from serving on the joint select committee to compile the laws on which the Revisers have not reported.

And, on motion of Mr. Cothren, the vacancy was filled, by the appointment of Mr. Botkin as a member of such joint select committee.

A message from the Assembly by their chief clerk:

Mr. President:—

I am directed to inform you that Messrs Cross, Burns, Strong, Noble and Crandall have been appointed a joint select committee on the part of the Assembly on

Resolution to appoint a joint select commitiee to compile the Statute Laws, which have not been acted on by the Commissioners to revise the laws.

And have concurred in the amendment of the Senate to

No. 12, (A.) A bill to vacate part of the town plat of the village of Janesville in Rock County.

The Assembly insist on their 1st, 2d, 3d, 4th, 5th, 6th, 7th, 9th, 10th, 11th, 12th, 13th, 17th, 18th and 19th amendments to

No. 57, (S.) A bill in relation to counties and county officers;

And have receded from their 16th and 20th amendments to said bill;

And have appointed Messrs. Daugherty and Strong as a committee of conference on the part of the Assembly to act in conjunction with a similar committee to be appointed on the part of the Senate on the disagreeing vote of the Senate and Assembly on said bill.

I am directed to present for your signature,

"An act to authorize the city of Racine to aid in the construction of a plank road;" and

"An act to appropriate to Beriah Brown the sums therein named;"

Which have been signed by the Speaker of the Assembly.

The Assembly have passed

No. 62, (S.) a bill to appropriate to R. A. Bird the sum therein named;

Without amendment.

The Governor has returned to the Assembly,

"Joint resolution relative to the prtining of the laws,"

With his objections thereto which are herewith transmitted to the Senate.

The Assembly have refused to re-consider and pass the said resolution.

The Assembly have passed

No. 43, (A.) A bill to incorporate the Wisconsin Bridge Company;

In which the concurrence of the Senate is requested.

The following communication accompanied said message:

EXECUTIVE DEPARTMENT,
February 20, 1849.

To the Assembly:

I herewith return to the Assembly Resolution entitled "Joint resolution relative to the printing of the laws," without action.

From an inspection of the resolution, it is evidently the intention of the Legislature to give it the force and effect of a law, by declaring that certain acts of the Secretary of State had under it and the publication thereof, "shall be received as evidence in all courts and legal proceedings."

The seventh section of the fourth article of the constitution provides "The style of the laws of the State shall be" "The people of the State of Wisconsin represented in Senate and Assembly do enact as follows:" and "no law shall be enacted except by bill"—from which it is evident that legislation can have no legal effect unless the action of the Legislature assumed the form expressly directed by the constitution. The propriety of a law embodying the provisions contained in the resolution is apparent, and as individual rights may be effected by it, such a law is recommended.

NELSON DEWEY.

On motion of Mr. Horn,
Senate adjourned until 3 o'clock this afternoon.

SAME DAY 3 O'CLOCK, P. M.

Mr. Fisher from the committee on engrossed bills reported as correctly engrossed,

No. 52, (S.) a bill supplementary to an act to incorporate the Milwaukee Mutual Fire Insurance company, approved Dec. 27, 1937, and an act to amend an act to incorporate the Milwaukee Mutual Fire Insurance Company, approved Feb. 4th, 1847.

No. 55, (S.) an act to prescribe certain dutieis of the Board of Public Works, and to amend an act entitled 'an act to provide for the improvement of the Fox and Wisconsin rivers and connecting the same by a canal,' approved August 8th, 1848.

No. 69, (S.) an act to prescribe certain duties of the Attorney General of the State and the District Attorney of Milwaukee county;

And,

No. 72, [S.] a bill to appropriate to William R. Smith the sum therein named.

The message from the Assembly was taken up and bill

No. 43, [A.] a bill to incorporate the Wisconsin Bridge Company,

Was read a first and second times, and on motion of Mr. Kinney referred to the committee on roads and bridges.

Messs. Kinney and Sholes were appointed a joint committee of conference on part of the Senate on the disagreeing vote of the two Houses on the amendments of Assembly to bill

No. 57, [S.] a bill in relation to counties and county officers.

The following bills,

No. 52, [S.] No. 55, [S.] and No. 69, [S.] were severally read a third time, passed, and their titles severally agreed to.

No. 72, [S.] was read a third time and passed.

And the ayes and noes being called,

Those who voted in the affirmative, were

Messrs. Botkin, Boyd, Chase, Cothren, Fisher, Goodell, Horn, Kinney, Merrell, Murphy, Sholes, Smith, Sprague, Willard and Williams—15.

None voted in the negative.

A message from the Assembly by their chief clerk:

Mr. President—

The Assembly have adopted the following joint resolution:

Resolved, the Senate concurring, That the two houses of the legislature will meet in the Assembly chamber to-morrow morning at 10 o'clock for the purpose of listening to the reading of Washington's farewell address.

Resolved, That the President of the Senate and the Speaker of the Assembly be requested to invite some member of the legislature to read said address as above contemptated.

In which the concurrence of Senate is requested.

On motion of Mr. Botkin,

Senate resolved itself into a committee of the whole on bill

No. 67, (S.) a bill to provide for a final settlement with the Milwaukee and Rock River Canal Company;

Mr. Sholes in the chair.

After some time spent therein, the committee rose and by their chairman reported said bill with amendments;

And the question being on concurring in the amendments of the committee of the whole,

They were severally concurred in.

And the ayes and noes being called for,

On concurring in the amendments to stand as section 2

Those who voted in the affirmative, were

Messrs. Botkin, Chase, Fisher, Goodell, Kinney, Merrell, Murphy, Sholes, Sprague and Willard—10.

Those who voted in the negative, were

Messrs. Boyd, Cothren, Horn, Smith and Williams—5.

Mr. Horn moved further to amend said bill by adding a new section as follows:

"Said company shall build and maintain in the dam belonging to said water power a convenient slide or chute, not to be less than 30 feet wide, and so constructed as to cause a fall of not more than three feet to every twelve feet of smooth surface, to admit the free passage of all rafts and timber down said stream."

Which was not agreed to.

And the ayes and noes being called for,

Those who voted in the affirmative, were

Messrs. Cothren, Fisher, Horn, Murphy, Sholes, Sprague and Willard—7.

Those who voted in the negative, were

Messrs. Botkin, Boyd, Chase, Goodell, Kinney, Merrell, Smith and Williams—8.

And the said bill No. 67, (S.) was ordered to be engrossed and read a third time.

And the ayes and noes being called for,

Those who voted in the affirmative, were

Messrs. Botkin, Boyd, Chase, Fisher, Goodell, Kinney, Merrell, Sholes, Sprague and Willard—10.

Those who voted in the negative, were

Messrs. Cothren, Horn, Murphy, Smith and Williams—5.

The message of the Assembly was taken up and the joint,

Resolution of Assembly in relation to the meeting of the two houses in the Assembly chamber to-morrow for the purpose of hearing the reading of Washington's Farewell Address,

Were concurred in.

Mr. Cothren on part of the committee on incorporations, reported back without amendment,

No. 79, (S.) a bill to incorporate the village of Watertown,

Which was read a first and second times.

Mr. Boyd from the committee on enrolled bills, reported as follows:

The committee on enrolled bills would report that they have this day presented to the Governor for his approval, "An act to authorise H. S. Allen, Stover Rines, Moses Rines and their associates, to construct and maintain a Boom in Chippewa river, in the county of Chippewa;"

"An act to appropriate to Beriah Brown the sums therein named;"

"An act to authorize the city of Racine to aid in the construction of a Plank Road;"

"Joint resolutions relative to the salaries of officers of the University, and in relation to approving of the proposed site and plan of the University Buildings;"

Also,

No. 62, (S.) a bill to appropriate to R. A. Bird the sum therein named,"

As correctly enrolled.

JOHN W. BOYD,
Chairman.

On motion of Mr. Horn,

Senate adjourned until Friday morning at 10 o'clock.

Friday, February 23, 1849.

Prayer by the Rev. Mr. Lord.

On motion of Mr. Horn,

The reading of the Journal of yesterday was dispensed with.

The President made the following communication and report to the Senate:

In accordance with the joint resolution of the Senate and Assembly passed on the 21st instant, the members of the two houses met in joint convention with the citizens of Madison, and visitors in the Assembly chamber, at 10 o'clock, A. M. yesterday, and listened to the farewell address of General George Washington to the people of the United States, read by William R. Smith who had been selected for the purpose as provided by said resolution.

A message from the Assembly by their chief clerk:

Mr. President—

I am directed to present for your signature,

"An act to appropriate to R. A. Bird the sum therein named;"

Which has been signed by the Speaker of the Assembly.

The Assembly have passed

No. 32, (S.) a bill relating to common schools;

With sundry amendments;

In which the concurrence of the Senate is requested.

The President laid before Senate the following letter from the commissioners to revise the laws;

Hon. John E. Holmes,
Lieut. Governor and Pres't of the Senate.

Sir: We have the honor to submit herewith, additional chapters of our report as commissioners to revise the laws.

You will please lay the same before the legislature.

Respectfully,
Your ob't serv'ts,
C. M. BAKER,
C. S. JORDAN,
M. FRANK.

Madison, Feb. 23, 1849.

Accompany said letter were the following chapters:

"Of the law of the road and the regulation of public carriages;"

"Of the regulation of Ferries;"

"Of highways and Bridges."

On motion of Mr. Kinney,

The message of Assembly was taken up;

And the question being on concurring in the amendments of Assembly to bill

No. 32, (S.) a bill relating to common schools;

The first amendment was concurred in.

And the ayes and noes being called for,

Those who voted in the affirmative, were

Messrs. Boyd, Chase, Fisher, Gardner, Horn, Murphy, Smith Willard—8.

Those who voted in the negative, were

Messrs. Goodell, Kinney, Merrell, Sprague and Williams —5.

And the 2d, 3d, 4th, 5th, 6th, 7th, 8th, 9th and 10th amendments, were severally concurred in; and

On motion of Mr. Smith,

The further consideration of said bill No. 32, [S.] and amendments was postponed until to-morrow.

On motion of Mr. Murphy, bill

No. 38, [S.] a bill to establish the county seat of Lafayette county and for other purposes,

Was taken from from the table and returned to the general file.

On motion of Mr. Horn,

No. 7, (S.) Joint resolution relative to a proposed amendment to the constitution of the United States concerning the election of Senators in Congress,

Was taken from the table and returned to the general file.

Under rule, the Senate resolved itself into a committee of the whole on report of commissioners to revise the laws;

Mr. Botkin in the chair.

After some time spent therein the committee rose and by their chairman reported

No. 80, (S.) a bill in relation to the Legislature;

No. 81, (S.) a bill relating to the distribution of the income of the school fund;

No. 82, (S.) a bill in relation to proceedings to compel the delivery of Books and Papers by public officers to their successors;

And,

No. 83, (S.) a bill in relation to the divisions of towns,

Without amendment.

On motion of Mr. Chase,

Said bill No. 83, (S.) was further amended by striking out the words "may be," where they occur, and inserting the word "practicable."

And said bills No. 80, [S.] No. 81, [S.] No. 82, [S.] and No.

83, [S.] were severally ordered to be engrossed and read a third time; and

On motion of Mr. Botkin,

Rules were suspended in relation to said bills, and they were severally ordered to a third reading now; and said bills,

No. 80, [S.] No. 81, [S.] No. 82, [S.] and No. 83, [S.] were severally read a third time, passed, and their titles severally agreed to.

Mr. Fisher from the committee on engrossed bills reported as correctly engrossed, bill

No. 67, (S.) a bill to provide for the final settlement with the Milwaukee and Rock River Canal Company.

And said bill No. 67 [S.] being on its third reading,

Mr. Smith moved a call of the house.

And the roll being called, Messrs. Cothren, Dennis, Horn, Kinney and Sholes were reported absent.

On motion of Mr. Botkin, Mr. Cothren was excused.

On motion of Mr. Chase, Mr. Sholes was excused.

On motion of Mr. Goodell, further proceedings in the call were suspended.

On motion of Mr. Goodell,

Senate adjourned until 3 o'clock this afternoon.

SAME DAY 3 O'CLOCK, P. M.

Mr. Gardner presented the petition of D. T. Dickson and others, Journeymen printers of Madison, asking the use of the Senate chamber to hold a meeting on Saturday evening next;

Which was referred to the committee on State affairs.

Mr. Kinney presented the petition of A. H. Taylor and others praying for a law to authorize Thomas P. Williams to build a bridge across the Milwaukee river;

Which was ordered to be sent to the Assembly.

Mr. Smith presented the account of J. T. Swearingen for the amount of $300 due on six Territorial Bonds;

Which was referred to the committee on claims.

Mr. Merrell presented the petition of A. Warren, jr, and Edward A. Pierson for a charter to build a slide at Big Bull Falls on the Wisconsin River;

Which was referred to the committee on internal improvements.

Mr. Botkin presented the account of J. H. Lewis against the State;

Which was referred to the committee on claims.

Mr. Sholes offered the following resolution:

Resolved, That the Sergeant-at-arms be directed not to permit the chamber to be used for any purpose foreign to the business of the Senate without a special order;

Which was adopted.

Mr. Kinney from the committee on claims reported bill

No. 84, (S.) a bill to appropriate the several sums therein named;

Which was read a first and second times.

Mr. Kinney from the committee on claims reported back

No. 74, (S.) an act to provide for the payment of the commissioners to revise the laws and their clerk the sums therein named,

Without amendment.

Mr. Sholes from the committee on public printing, reported back bill

No. 45, (A.) an act to appropriate to H. A. Tenney the sum therein named;

With amendments.

And said bill No. 45, (A.) was read a second time.

Mr. Dennis from the committee on Internal improvements, to whom had been referred bill and documents,

No. 37, (A.) a bill to authorize the construction of a dam across Rock River,

Reported back said bill with an amendment, as follows:

The committee on internal improvements to whom was referred Assembly bill No. 37, "A bill to authorize the construction of a dam across Rock River," together with the remonstrance of James Wadsworth, Alonzo Wing, and Merrick Sawyer, and several affidavits accompanying the same, have had the same under consideration and report the said bill back to the Senate and recommend the passage of the same with the following amendment: Add to the bill a new section, as follows:

"This act shall not be construed to authorize the said Cyrus Curtis or any other person who may erect or maintain the said dam, to flow the land of any individual without his consent; or to raise the water of said river to the injury of mills now erected above the said dam, or in any wise to affect any suits now pending either in law or equity, touching the right of said Curtis or any other person to erect or maintain a dam at the place aforesaid."

And said bill No. 37, (A.) was read a second time.

Mr. Boyd from the committee on enrolled bills, reported that they did on yesterday present to the Governor for his approval,

"An act to appropriate to R. A. Bird the sum therein named."

No. 67, (S.) a bill to provide for a final settlement with the Milwaukee and Rock River Canal Company;

Was read a third time and passed.

And the ayes and noes being called,

Those who voted in the affirmative, were

Messrs. Botkin, Caase, Fisher, Goodell, Kinney, Merrell, Murphy, Sholes, Sprague and Willard—10.

Those who voted in the negative, were

Messrs. Boyd, Dennis, Gardner, Horn, Smith and Williams—6.

The title of the bill was agreed to.

On motion of Mr. Williams,

The Senate resolved itself into a committee of the whole on bill No. 79, (S.) a bill to incorporate the village of Watertown; Mr. Gardner in the chair.

After some time spent therein, the committee rose and by their chairman reported said bill No. 79, (S.) without amendments.

On motion of Mr. Dennis,

Rules were suspended in relation to said bill, and it was ordered to its third reading now; and bill

No. 79, (S.) a bill to incorporate the village of Watertown,

Was read a third time, passed and title agreed to.

Mr. Boyd from the committee on enrolled bills reported as correctly enrolled,

No. 12, (A.) A bill to vacate part of the town plat of the village of Janesville in Rock County;

No. 59, (A.) a bill to appropriate to N. W. Dean the sum therein named;

No. 66, (A.) A bill to vacate the town plat of the town of Oconomowoc;

No. 56, (A.) A bill to declare certain roads in the town of Auburn to be lawful highways;

And,

No. 53, (S.) A bill in relation to the resignations, vacancies, and removals, and of supplying vacancies.

On motion of Mr. Botkin,

Senate adjourned until 10 o'clock to-morrow morning.

SATURDAY, February 24, 1849.

Prayer by the Rev. Mr. Lord.

The Journal of yesterday was read.

Under rule, Senate resumed the consideration of bill and amendments,

No. 32, (S.) a bill relating to common schools;

And the question being on concurring in the 11th amendment of Assembly to said bill,

It was non-concurred in.

And the ayes and noes being called for,

Those who voted in the affirmative, were

Messrs. Gardner, Horn, Smith and Sprague—4.

Those who voted in the negative, were

Messrs. Botkin, Boyd, Chase, Dennis, Fisher, Goodell, Kinney, Merrell, Murphy, Sholes, Willard and Willis—12.

A message from the Assembly by their chief clerk:

Mr. President—

I am directed to present for your signature,

"An act to appropriate to N. W. Dean the sum therein named;"

"An act to vacate part of the town plat of the village of Janesville, in Rock county;"

"An act to declare certain roads in the town of Auburn to be lawful highways;"

And,

"An act to vacate the town plat of the town of Oconomowoc;"

Which have been signed by the Speaker of the Assembly.

The Assembly have passed

No. 5, (A.) Memorial to Congress for an appropriation of land to aid in the construction of a rail road from Milwaukee to the Mississippi river;

In which the concurrence of the Senate is requested.

The Assembly have also concurred in the passage of

No. 22, (S.) a bill to provide for the protection of shade-trees, hedges and fences in certain cases;

No. 40, (S.) A bill to vacate a certain street in the village of Cedarburg;"

No. 44, (S.) a bill to appropriate the several sums therein named;

No. 49, (S.) a bill to repeal an act entitled "an act to establish a municipal Court in the city of Milwaukee, and all acts supplementary thereto;"

And,

No. 58, (S.) a bill to appropriate the sum of money therein named;"

Without amendments; and

No. 4, (S.) a bill to amend an act to provide for the appraisal and subdivision of the school and university lands, approved August 12th, 1848;

And,

No. 47, (S.) A bill to provide for the publication of legal decisions;

The first with an amendment, and the latter with sundry amendments;

In which the concurrence of the Senate is requested.

On motion of Mr. Kinney,

Senate adjourned until 10 o'clock on Monday morning.

MONDAY, February 26, 1849.

Prayer by the Rev. Mr. Read.

The Journal of Saturday was read.

Mr. Kinney from the joint committee of conference on the disagreeing vote of the two Houses on the amendments of Assembly to bill

No. 57, (S.) a bill in relation to counties and county officers;

Reported as follows:

The committee of conference on the disagreeing votes between the two houses on the amendments to the bill relating to counties and county officers, No. 57, (S.) respectfully report that they recommend the following action, namely:

That the Assembly recede from the first amendment;
That the Senate concur in the 2nd "
That the Assembly recede from the 3rd "
That the Senate concur in the 4th "
That the Assembly recede from the 5th "
That the Senate concur in the 7th & 9th "
That the Assembly recede from the 10th "

That the Senate concur in the 11th, 12th, 13th, 17th, 18th and 19th amendments, and that the 6th amendment be amended as follows, viz: Strike out the amendment of the Assembly, and insert the following in its place:

"But the Board of Supervisors of any county shall not issue in any one year a greater amount of county orders than the amount of the county tax levied in such county for such year;

and no interest shall ever be paid by any county or any county order.

ASA KINNEY,
C. LATHAM SHOLES, } Senate.
MARSHALL M. STRONG, } Assembly.
J. DOUGHERTY,

And the said report was received and the committee discharged.

And the question being on adopting the recommendations of report of the committee of conference on said bill No. 57, (S.)

Mr. Chase called for a division of the question.

And the question being on adopting the recommendations of concurring in the second, seventh and ninth amendments of Assembly,

They were concurred in.

And the ayes and noes being called for,

Those who voted in the affirmative, were

Messrs. Boyd, Dennis, Fisher, Horn, Kinney, Murphy, Sholes Smith and Sprague—9.

Those who voted in the negative, were

Messrs. Botkin, Chase, Gardner, Goodell, Merrell and Williams—6.

And the question being on concurring in the remaining recommendations of the report,

They were concurred in.

Mr. Chase presented the petition of A. H. Livingston and others, citizens of St. Croix county, on the subject of an alteration of the boundaries of the said county and of the State;

Which was referred to the committee on State affairs.

Mr. Chase on leave introduced bill

No. 88, (S.) a bill to repeal the law regulating tolls for grinding grain;

Which was read a first and second times.

Mr. Gardner on leave introduced bill

No. 89, (S.) a bill prescribing certain duties to be performed by the clerks of counties under the county commissioners system of government;

Which was read a first and second times.

Mr. Horn on leave introduced bill

No. 90, (S.) a bill to establish a certain State Road;

Which was read a first and second times.

Mr. Gardner from the committee on expiration and re-enactment of laws, to whom the subject had been referred, reported as follows:

The committee on the expiration and re-enactment of laws, to which was referred the petition of Jesse Hoocker and others, of the town of Salem, praying that a tax may be laid upon the traffic in ardent spirits, corresponding with the public expense arising from such traffic, have had the same under consideration, and respectfully beg leave to

REPORT:

That they are fully impressed with the justice of the request contained in the petition in question. The pauperism and crime, and degradation, generally resulting from the traffic in ardent spirits, results, as is well known, to the injury of the community. The best, the most temperate, and valuable citizens of community are equally, with the rum-seller himself and his victim, involved in the expense and the evils of the traffic. This is not right. If the rum-seller shall be permitted to scatter pauperism and crime abroad, it is but just that the expense of such pauperism and crime, should fall mainly if not entirely upon him; and in view of such conclusion, your committee beg leave to report the following bill:

E. T. GARDNER, Ch'n.

No. 91, (S.) a bill relating to the sale of spirituous liquors;

Which was read a first and second times and ordered to be printed.

Mr. Gardner on leave introduced bill

No. 92, (S.) a bill to provide for the publication of the laws passed at the present session of the legislature;

Which was read a first and second times.

Mr. Gardner from the committee on expiration and re-enactment of laws to whom had been referred sundry petitions on the reduction of millers tolls, reported the same back to Senate without action.

Mr. Fisher from the committee on roads and bridges to whom had been referred bill

No. 41, (A.) a bill to incorporate the Wisconsin bridge company;

Reported the same without amendment and recommend its passage.

A communication from the Governor:

To the Senate;

"An act entitled 'an act to appropriate to B. A. Bird the sum therein named,'"

Was, on the 22d instant, approved and signed by me and deposited in the office of the Secretary of State.

NELSON DEWEY.

Executive Department,
February 24, 1849.

The message from the Assembly was taken up;

And the question being on concurring in the amendments of Assembly to bill

No. 4, (S.) a bill to amend an act to provide for the appraisal and sub-division of the school and university lands, approved August 12, 1848,

They were concurred in.

The amendments of Assembly to bill

No. 47, (S.) A bill to provide for the publication of legal decisions,

Were taken up, and on motion of Mr. Sholes said bill and amendments were laid on the table.

No. 5, (A.) Memorial to Congress for an appropriation of land to aid in the construction of a rail road from Milwaukee to the Mississippi river,

Was read a first and second times, and on motion of Mr. Sholes, was referred to the committee on State affairs.

A message from the Assembly by their chief clerk:

Mr. President—

I am directed to present for your signature,

"An act to organize the county of St. Croix for Judicial purposes, and to attach the county of La Pointe thereto for such purposes;"

"An act to appropriate the sum of money therein named;"

"An act to vacate a certain street in the village of Cedarburg;"

"An act to appropriate the several sums therein named;"

And,

"An act to repeal an act entitled 'an act to establish a Municipal Court of the city of Milwaukee, and all acts supplementary thereto;'"

Which have been signed by the Speaker of the Assembly.

The Assembly have adopted the report recommended by the committee of conference on the disagreeing vote of the Senate and Assembly on

No. 57, (S.) a bill in relation to counties and county officers.

On motion of Mr. Kinney,

Senate adjourned until 3 o'clock this afternoon.

SAME DAY—3 O'CLOCK, P. M.

Mr. Boyd from the committee on enrolled bills, reported as correctly enrolled,

No. 58, (S.) A bill to appropriate the sum of money therein named;

No. 44, (S.) a bill to appropriate the several sums therein named;

No. 40, (S.) a bill to vacate a certain street in the village of Cedarburg;

No. 49, (S.) a bill to repeal an act entitled "an act to establish a Municipal Court of the city of Milwaukee and all acts supplementary thereto;

No. 54, (A.) A bill to organize the county of St. Croix for judicial purposes, and to attach the county of La Pointe thereto for such purposes;

No. 71, (A.) a bill to provide for elections other than town officers;

No. 48, (S.) a bill in relation to State officers.

Mr. Boyd from the committee on enrolled bills reported as follows;

The committee on enrolled bills would report, that they did, on Saturday last, present to the Governor for his approval,

"An act to vacate part of the town plat of the village of Janesville, in Rock county;"

"An act to vacate the town plat of the town of Oconomowoc;"

"An act to declare certain roads in the town of Auburn to be lawful highways;"

"An act to appropriate to N. W. Dean the sum therein named."

Mr. Botkin presented the account of Peter Kavanaugh against the State,

Which was referred to the committee on claims.

Mr. Boyd, on leave, introduced bill

No. 93 (S.) a bill to authorize school district No. 3, in the town of Troy and county of Walworth, to raise a tax;

Which was read a first and second times.

On motion of Mr. Boyd,

All rules were suspended in relation to said bill,

And

No. 93 (S.) was ordered to a third reading now,

And said bill No. 93 (S.) was read a third time, passed, and the title agreed to.

On motion of Mr. Dennis,

Senate resolved itself into a committee of the whole on the general file of bills;

Mr. Fisher in the chair.

After some time spent therein, the committee rose, and by their chairman reported,

No. 84 (S.) a bill to appropriate the several sums therein named;

No. 74 (S.) an act to provide for the payment of the commissioners to revise the laws, and their clerk, the sum therein named;

No. 70 (S.) a bill to enable the city of Milwaukee to aid in the construction of a railroad from that city to the Mississippi river;

No. 48 (A.) a bill to incorporate the Wisconsin Bridge Company;

And,

No. 49 (A.) a bill to organize the town of Charlestown, in Calumet county,

Without amendments;

Also,

No. 37 (A.) a bill to authorize the construction of a dam across Rock river;

No. 84 (S.) a bill to establish the county seat of Lafayette county, and for other purposes;

And,

No. 46 (A.) an act to appropriate to H. A. Tenney the sum therein named;

With amendments to each;

And reported progress on the general file, and asked leave to sit again;

Which was granted.

The amendment to bill No. 38 (S.) was concurred in, and said bills

No. 38 (S.) and No. 84 (S.) were severally ordered to be engrossed and read a third time.

On motion of Mr. Smith,

Rules were suspended in relation to bill

No. 70 (S.) a bill to enable the city of Milwaukee to aid in the construction of a railroad from that city to the Mississippi river;

And said bill was ordered to its third reading now, and said bill No. 70 (S.) was read a third time and passed;

And the ayes and noes being called for,

Those who voted in the affirmative, were Messrs. Botkin, Boyd, Fisher, Gardner, Goodell, Horn, Kinney, Merrell, Murphy, Smith, Sprague, and Williams—12.

Those who voted in the negative, were Messrs. Chase and Sholes—2.

The title of the bill was agreed to.

On motion of Mr. Goodell,

The rules were suspended in relation to bill

No. 74 (S.) an act to provide for the payment of the commissioners to revise the laws, and their clerk, the sums therein named;

And said bill was ordered to its third reading now;

And said bill No. 74 (S.) was read a third time and passed;

And the ayes and noes being called,

Those who voted in the affirmative, were Messrs. Botkin, Boyd, Chase, Fisher, Gardner, Goodell, Kinney, Merrill, Murphy, Sholes, Smith, Sprague and Williams—1[illegible].

Mr. Horn voted in the negative.

The title of the bill was agreed to.

On motion of Mr. Horn,

All rules were suspended in relation to bill

No. 48 (A.) a bill to incorporate the Wisconsin Bridge Company;

And said bill No. 48 (A.) was ordered to its third reading now;

And said bill No. 48 (A.) was read a third time, passed, and the title agreed to.

The amendments of the committee of the whole, to bills

No. 45 (A.) an act to appropriate to H. A. Tenney the sum therein named,

And

No. 37 (A.) a bill to authorize the construction of a dam across Rock river,

Were severally concurred in;

And said bill No. 37 (A.) was ordered to be read a third time.

On motion of Mr. Sholes, bill

No. 45 (A.) was laid on the table;

And the question being on ordering bill

No. 49 (A.) a bill to organize the town of Charlestown, in Calumet county, to a third reading;

Mr. Goodell moved to amend said bill by striking out the first section;

Which was agreed to;

And,

On motion of Mr. Horn,

The rules were suspended in relation to said bill;

And said bill No. 49 (A.) was read a third time and passed;

And,

Mr. Horn moved to amend the title of said bill No. 49 (A.) by striking out all after the word "bill," and inserting, "to organize the several towns therein named;"

Which was agreed to;

And the the title, as amended, was agreed to.

Mr. Boyd, from the committee on enrolled bills, reported as follows:

The committee on enrolled bills would report that they have this day presented to the Governor for his approval,

An act to vacate a certain street in the village of Cedarburg;

An act to appropriate the several sums therein named;

An act to appropriate the sums therein named;

An act to repeal an act entitled "an act to establish a municipal court in the city of Milwaukee," and all acts supplementary thereto;

An act to organize the county of St. Croix for judicial purposes, and to attach the county of La Pointe thereto for such purposes.

On motion of Mr. Horn,

Senate adjourned until 10 o'clock to-morrow morning.

TUESDAY, February 27, 1849.

Prayer by the Rev. Mr. Penman.

On motion of Mr. Botkin,

The reading of the Journal of yesterday was dispensed with.

Mr. Botkin moved that the Chief Clerk be directed to request Assembly to return to Senate, for further action, bill

No. 43, (A.) a bill to incorporate the Wisconsin bridge company;

Which was not agreed to.

And the ayes and noes being called for,

Those who voted in the affirmative, were

Messrs. Botkin, Chase, Merrell and Sholes—4.

Those who voted in the negative, were

Messrs. Boyd, Dennis, Fisher, Gardner, Goodell, Horn, Kinney, Murphy, Smith, Sprague and Williams—11.

Mr. Kinney offered the following resolution:

Resolved, by the Senate and Assembly, That the enrolling committee be authorized to present to the Governor for his approval,

"An act relating to towns and town officers;"

Which was adopted.

Mr. Botkin on leave presented the account of Daniel Noble Johnson against the State;

Which was referred to the committee on legislative expenditures.

Mr. Fisher from the committee on engrossed bills reported as correctly engrossed,

No. 38, (S.) a bill to establish the county seat of Lafayette county and for other purposes;

No. 84, (S.) a bill to appropriate the several sums therein named.

A message from the Assembly by their chief clerk:

Mr. President:—

The Assembly have adopted the following resolution, to wit:

Resolved, by the Senate and Assembly, That no new business of a private or local character shall be introduced into either house, after the tenth day of March, 1849;

In which the concurrence of the Senate is requested.

The Assembly have concurred in the passage of

No. 71, (S.) a bill to authorize Thomas P. Williams and others to build a bridge;

With amendments;

In which the concurrence of the Senate is requested.

And have negatived,

No. 83, (S.) a bill in relation to the division of towns.

The Assembly have also passed

No. 74, (A.) a bill to consolidate and amend an act entitled "an act to incorporate Carroll College, approved January 31, 1846, and an act amendatory thereto, approved January 25, 1847;"

No. 78, (A.) an act to authorize the Treasurer of the town of Belgium, in the county of Washington, to receive certain moneys;"

No. 79, (A.) a bill to audit the claims of Racine county;"

No. 80, (A.) an act to appropriate to David Holt the sum therein named;

No. 84, (A.) a bill to change the name of the town of Butte des Mortts in the county of Winnebago;"

No. 86, (A.) a bill to organize the town of New Holstein, in Calumet county;

And,

No. 88, (A.) a bill to authorize the recording of the town plat of the town of Belmont, in Lafayette county, and for other purposes;

In all of which the concurrence of the Senate is requested.

The Assembly have inserted on their 11th amendment to No. 32, [S.] a bill relating to common schools, and have asked a committee of conference thereon.

And Messrs. Burns, Wells, and Briggs have been appointed a committee of conference on the part of the Assembly to act in conjunction with a similar committee to be appointed on the part of the Senate on the disagreeing vote of the Senate and Assembly on said bill.

The Governor has informed the Assembly that he did, on the 22d instant, approve, sign, and deposite in the office of the Secretary of State,

"Joint resolutions relative to salaries of officers of the university and in relation to approving of the present site and plan of the university buildings';"

And on the 23d instant approve, sign, and deposite as aforesaid,

"An act entitled 'an act to authorize the city of Racine to aid in the construction of a plank road;"

And on the 24th instant, approve, sign, and deposite as aforesaid, the following acts, to wit:

"An act to vacate a part of the town plat of the village of Janesville in Rock county;"

"An act to appropriate to N. W. Dean the sum therein named;"

"An act to declare certain roads in the town of Auburn to be lawful highways;"

And,

"An act to vacate the town plat of the town of Oconomowoc."

The Assembly have also passed:

No. 93, [S.] a bill to authorize school district number three in the town of Troy, and county of Walworth, to raise a tax;

No. 80, [S.] a bill in relation to the legislature;

And;

No. 82, [S.] a bill in relation to proceedings to compel the delivery of Books and papers by public officers to their successors;

Without amendments.

Under rule the Senate resolved itself into a committee of the whole on bills reported by the commissioners to revise the laws;

Mr. Merrell in the chair.

After some time spent therein the committee rose and by their chairman reported

No. 85, [S.] a bill in relation to strays;

And,

No. 86, [S.] a bill in relation to the disposition of unclaimed property;

With amendments to each.

And,

No. 87, [S.] a bill regulating ferries;

Without amendment.

And the question being on concurring in the amendments of the committee of the whole to bills No. 85, [S.] and No. 86, [S.]

They were severally concurred in.

And said bills No. 85, [S.] No. 86, [S.] and No. 87, [S.] were severally ordered to be engrossed and read a third time.

On motion of Mr. Kinney,

All rules were suspended in relation to said bills No. 85, [S.] No. 86, [S.] and they were severally ordered to their third reading now, and said bills No. 85, [S.] No. 86, [S.] and No. 87, [S.] were severally read a third time, passed, and their titles severally agreed to.

No. 38, (S.) a bill to establish the county seat of Lafayette county, and for other purposes;

Being on its third reading.

Mr. Chase moved to lay said bill on the table;

Which was not agreed to.

And the question recurring on said bill No. 38 being read a third time, said bill

No. 38, (S.) was read a third time and passed;

And the ayes and noes being called for,

Those who voted in the affirmative, were

Messrs. Boyd, Dennis, Fisher, Gardner, Horn, Kinney, Murphy, Sholes, Smith, Sprague and Williams—11.

Those who voted in the negative, were

Messrs. Botkin, Chase, Goodell and Merrell—4.

The title of the bill was agreed to.

No. 84, (S.) a bill to appropriate the several sums therein named;

And was read a third time and passed;

And the ayes and noes being called,

Those who voted in the affirmative, were

Messrs. Botkin, Boyd, Chase, Dennis, Fisher, Gardner, Goodell, Kinney, Murphy, Sholes, Smith and Sprague—12.

Those who voted in the negative, were

Messrs. Horn, Merrell and Williams—3.

Mr. Smith moved to amend the title, by striking out all after the word "appropriate, to," and inserting the names of the individuals named in the bill;

Which was agreed to;

And the ayes ane noes being called,

Those who voted in the affirmative, were

Messrs. Chase, Dennis, Fisher, Gardner, Horn, Merrell, Murphy, Smith and Sprague—9.

Those who voted in the negative, were

Messrs. Botkin, Boyd, Goodell, Kinney, Sholes and Williams—6.

And the title as amended was agreed to.

No. 37, (A.) a bill to authorize the construction of a dam across Rock river,

Was read a third time passed and the title agreed to.

A communication from the Governor:

To the Senate—

Acts of the following titles, to wit:

"An act to appropriate the several sums therein named;"

"An act to vacate a certain street in the village of Cedarburg;"

"An act to appropriate the sum of money therein named;"

And,

"An act to repeal an act entitled 'an act to establish a Municipal Court of the city of Milwaukee, and all acts supplementary thereto;'"

Were, on the 26th inst., approved and signed by me, and deposited in the office of the Secretary of State.

NELSON DEWEY.

Executive department,
February 27, 1849.

The message of Assembly was taken up, and the following bills,

No. 74, (A.) a bill to consolidate and amend an act entitled "an act to incorporate Carroll College, approved January 31, 1846, and an act amendatory thereto, approved January 25, 1847."

No. 78, an act to authorize the Treasurer of the town of Belgium in the county of Washington to receive certain moneys;

No. 79, (A.) a bill to audit the claims of Racine county;

No. 80, (A.) an act to appropriate to David Holt the sum therein named;

No. 84, (A.) a bill to change the name of the town of Butte des Mortts in the county of Winnebago;"

No. 86, (A.) a bill to organize the town of New Holstein, in Calumet county;

And,

No. 88, (A.) a bill to authorize the recording of the town plat of the town of Belmont, in Lafayette county, and for other purposes;

Were severally read a first and and second times.

And said bill No. 88, (A.) was,

On motion of Mr. Chase,

Referred to the committee on Icorporations.

The amendments of Assembly to bill

No. 71, (S.) a bill to authorize Thomas P. Williams and others to build a bridge;

Were severally concurred in.

The amendment of Assembly to bill

No. 83, (S.) a bill in relation to the division of towns;

Which was to strike out the enacting clause,

Being under consideration, said bill and amendment were, on motion of Mr. Kinney, laid on the table.

Messrs. Chase, Boyd, and Williams were appointed a joint committee of conference, on part of the Senate, on the disagreeing vote of the two houses on the 11th amendment of Assembly to bill

No. 32, (S.) a bill relating to common schools.

Mr. Kinney on leave introduced the following bill:

No. 94, (S.) a bill to pay the several sums therein named;

Which was read a first and second times.

Mr. Smith from the joint select committee on Seals, made report as follows:

The joint select committee appointed for the purpose of examing the several Seals in the office of the Secretary of State, which were engraved and delivered to him in pursuance of a joint resolution relative to Seals, approved August 12, 1848, beg leave respectfully to

REPORT:

That they have examined and tested said Seals, and it is the opinion of your committee that the same are very imperfectly engraved, and consequently do not meet with our approval.—The committee are of the opinion, however, that the Seals of the several Probate and Circuit Courts which are now in the possession of the Secretary of State could be altered by sinking the letters deeper, so that a tolerable good impression might be obtained. But would report adverse to the reception of the Great Seal of State as well as the Seal of the Supreme Court, under any circumstances whatever.

JOHN B. SMITH,
J. B. CROSS,
J. DAUGHERTY.

Which report was received, and on motion of Mr. Dennis, was laid on the table.

Mr. Williams from the committee on Incorporations, to whom had been referred bill

No. 77, (S.) a bill for the incorporation of the Methodist Episcopal church,

Reported the same back, with a substitute as an amendment;

And said bill No. 77, (S.) was read a second time.

A message from the Assembly by their chief clerk:

Mr. President—

The Assembly have concurred in the amendments of the Senate to

No. 49, (A.) a bill to organize the town of Charleston in Calumet county;

And have concurred in the passage of

No. 69, (A.) an act to prescribe certain duties of the Attorney General of the State and district Attorney of Milwaukee county;

Without amendment.

Mr. Boyd from the committee on enrolled bills, reported as correctly enrolled

No. 93, [S.] a bill to authorize school district number three in the town of Troy, and county of Walworth, to raise a tax.

On motion of Mr. Dennis,

Senate adjourned until 10 o'clock to-morrow morning.

WEDNESDAY, February 28, 1849.

Prayer by the Rev. Mr. Read.

On motion of Mr. Kinney,

The reading of the journal of yesterday was dispensed with.

Mr. Merrell presented the petition of A. A. Bird and ninety-two others, for the privilege to hold public worship in the capitol;

Which was referred to the committee on State affairs.

Mr. Sholes presented the account of J. D. Reymert, for printing Governor's message in the Norwegian language;

Which was referred to the committee on claims.

The message of the Assembly was taken up, and the following resolution:

Resolved, by the Senate and Assembly, that no new business of a private or local character shall be introduced into either house after the tenth day of March, 1849,

Was considered and adopted.

A message from the Assembly, by their chief clerk:

Mr. President: —

I am directed to present for your signature, "an act to authorize school district No. 3, in the town of Troy and county of Walworth, to raise a tax;"

Which has been signed by the Speaker of the Assembly.

The Assembly has concurred in the amendments of Senate to—

No. 40, (A.) a bill to prevent obstructions of the Wisconsin river and its tributary streams;

And has passed

No. 4, (A.) a memorial to Congress for a grant of land to aid in the construction of a railroad from the Falls of St. Croix to Lake Superior;

No. 25, (A.) a bill to repeal certain acts therein named;

No. 58, (A.) a bill to restore the name and rights of Prairieville academy;

No. 67, (A.) a bill in relation to the boundaries of the counties of Columbia, Adams, Sauk, Chippewa, La Pointe and St. Croix;

No. 81, (A.) a bill relating to attorneys;

No. 87, (A.) a bill to vacate a part of Monroe street, in the village of Monroe;

No. 89, (A.) a bill to extend the boundaries of the county of Winnebago;

And,

No. 94, (A.) a bill to amend an act entitled "an act to incorporate the Lawrence Institute of Wisconsin;

In all of which the concurrence of the Senate is requested.

On motion of Mr. Kinney,

The Senate resolved itself into a committe of the whole on bills

No. 92 (S.) a bill to provide for the publication of the laws passed at the present session of the Legilsature;

And,

No. 94, (S.) a bill to pay the several sums therein named;

Mr. Gardner in the chair.

After some time spent therein, the committee rose, and by their chairman reported

No. 92, (S.) without amendment;

And,

No. 94, (S.) with amendments.

On motion of Mr. Dennis,

Said bill No. 92, (S.) was referred to a select committee, consisting of Messrs. Dennis, Botkin and Sholes.

The amendments of the committee of the whole, to bill

No. 94, (S.) a bill to pay the several sums therein named,

Were concurred in,

And said bill

No. 94, (S.) was ordered to be engrossed and read a third time.

On motion of Mr. Gardner,

Senate resolved itself into committee of the whole on the general file of bills;

Mr. Smith in the chair.

After some time spent therein, the committee rose, and by their chairman reported bills

No. 74, (A.) a bill to consolidate and amend an act entitled "an act to incorporate Carroll College, approved January 31, 1846, and an act amendatory thereto, approved January 25, 1847;"

No. 78, (A.) an act to authorize the treasurer of the town of Belgium, in the county of Washington, to receive certain moneys;

No. 79, (A.) a bill to audit the claims of Racine county;

No. 80, (A.) an act to appropriate to David Holt the sum therein named;

No. 84, (A.) a bill to change the name of the town of Butte des Mortts, in the county of Winnebago;

No. 86, (A.) a bill to organize the town of New Holstein, in Calumet county;

No. 75, (S.) a bill to incorporate Dane Academy;

No. 76, (S.) a bill to amend an act entitled "an act to incorporate the Merchant's Mutual Insurance Company of Milwaukee,

Without amendment;

And bills

No. 78, (S.) a bill authorizing the erection of a court house upon the public ground;

And,

No. 88, (S.) a bill to repeal the laws regulating tolls for grinding grain;

With amendments to each;

And reported progress on the general file of bills, and asked leave to sit again;

Which was granted.

And said bills

No. 75, (S.) and No. 76, (S.) were severally ordered to be engrossed and read a third time.

And the question being on concurring in the amendments of the committee of the whole to bill

No. 88, (S.) said bill was,

On motion of Mr. Chase,

Laid on the table.

The amendments of committee of the whole to bill

No. 78, (S.) were concurred in;

And the question being on ordering said bill No. 78, (S.) to be engrossed and read a third time, It was not agreed to;

And the ayes and noes being called for,

Those who voted in the affirmative, were

Messrs. Botkin, Gardner, Kinney and Merrell—4.

Those who voted in the negative, were

Messrs. Boyd, Chase, Dennis, Fisher, Goodell, Horn, Murphy, Smith and Sprague—9.

On motion of Mr. Kinney, bill

No. 74, (A.) a bill to consolidate and amend an act entitled "an act to incorporate Carroll College, approved January 31, 1846, and an act amendatory thereto, approved January 25, 1847,"

Was recommitted to the committee on incorporations.

On motion of Mr. Dennis, bill

No. 84, (A.) a bill to change the name of the town of Butte des Mortts, in the county of Winnebago,

Was recommitted to the committee on town and county organization.

And bills

No. 78, (A.) No. 79, (A.) No. 80, (A.) and No. 86, (A.) were severally ordered to be read a third time.

A communication from the Governor:

To the Senate: —

An act entitled "an act to authorize school district No. 3, in the town of Troy and county of Walworth, to raise a tax," was, on the 27th instant, approved and signed by me, and deposited in the office of the Secretary of State.

NELSON DEWEY.

Executive Department,
February 28, 1849.

Mr. Boyd, from the committee on enrolled bills, reported as correctly enrolled,

No. 4, (S.) a bill to amend an act to provide for the appraisal and sub-division of the school and university lands, approved August 12, 1848;

No. 22, (S.) a bill to provide for the protection of shade trees, hedges, and fences, in certain cases;

No. 49, (A.) a bill to organize the several towns therein named;

No. 43, (A.) a bill to incorporate the Wisconsin Birdge Company;

No. 20, [A.] a bill relating to towns and town officers.

On motion of Mr. Boyd,

The Senate adjourned until 3 o'clock this afternoon.

SAME DAY 3 O'CLOCK, P. M.

The message of the Assembly was taken up, and the following bills,

No. 4, [A.] a memorial to Congress for a grant of land to aid in the construction of a railroad from the Falls of St. Croix to Lake Superior;

No. 25, [A.] a bill to repeal certain acts therein named;

No. 58, [A.] a bill to restore the name and rights of Prairieville Academy;

No. 67, [A.] a bill in relation to the boundaries of the counties of Columbia, Adams, Sauk, Chippewa, La Pointe and St. Croix;

No. 81, [A.] a bill relating to attorneys;

No. 87, [A.] a bill to vacate a part of Monroe street, in the village of Monroe;

No. 89, [A.] a bill to extend the boundaries of the county of Winnebago;

And,

No. 94, [A.] a bill to amend an act entitled "an act to incorporate the Lawrence Institute of Wisconsin;"

Were severally read a first and second times,

And

On motion of Mr. Chase, bill

No. 67, [A.] was referred to the committee on town and county organization.

On motion of Mr. Chase,

No. 89, [A.] was referred to the committee on town and county organization.

A message from the Assembly, by their chief clerk:

Mr. President: —

I am directed to present for your signature, an act to incorporate the Wisconsin Bridge Company;

Which has been signed by the Speaker of the Assembly.

Mr. Fisher, from the committee on engrossed bills, reported as correctly engrossed, bill

No. 94, [S.] a bill to pay the several sums therein named;

And said bill No. 94, [S.] was read a third time and passed;

And the ayes and noes being called for,

Those who voted in the affirmative, were

Messrs. Boyd, Chase, Dennis, Fisher, Gardner, Horn, Kinney, Murphy, Sholes, Smith, Sprague and Williams—12.

Mr. Merrell voted in the negative.

The title of the bill was agreed to.

No. 78, [A.] an act to authorize the treasurer of the town of Belgium, in the county of Washington, to receive certain moneys,

Being on its third reading, said bill No. 78, [A.] was,

On motion of Mr. Horn,

Laid on the table.

No. 79, [A.] a bill to audit the claims of Racine county, was read a third time and passed;

And the ayes and noes being called,

Those who voted in the affirmative, were

Messrs. Botkin, Boyd, Chase, Dennis, Fisher, Gardner, Goodell, Kinney, Merrell, Murphy, Sholes, Smith, Sprague and Williams—14.

Mr. Horn voted in the negative.

The title of the bill was agreed to.

No. 80, [A.] an act to appropriate to David Holt the sum therein named,

Was read a third time and passed;

And the ayes and noes being called,

Those who voted in the affirmative, were

Messrs. Botkin, Boyd, Chase, Dennis, Fisher, Gardner, Goodell, Horn, Kinney, Merrell, Murphy, Sholes Smith, Sprague and Williams—15. None in the negative.

The title of the bill was agreed to.

No. 86, [A.] a bill to organize the town of New Holstein, in Calumet county,

Was read a third time, passed, and title agreed to.

A message from the Assembly, by their chief clerk:

Mr. President: —

The Assembly have adopted the following resolution, to wit:

Resolved, (the Senate concurring) that the Senate and Assembly meet in the Assembly chamber on Thursday, the first day of March next, at two o'clock in the afternoon, to appoint, by joint vote, some person for Register of the State Land Office, and some person to be Treasurer of the Board of Public Works;

In which the concurrence of the Senate is requested.

And said message being taden up,

And the said resolution being under consideration, it was,

On motion of Mr. Horn,

Laid on the table;

And the ayes and noes being called for,

Those who voted in the affirmative, were

Messrs. Dennis, Fisher, Gardner, Horn, Kinney, Murphy, Smith, Sprague and Williams—9.

Those who voted in the negative, were

Messrs. Botkin, Boyd, Chase, Goodell, Merrell and Sholes—6.

On motion of Mr. Horn, bill

No. 78, [A.] an act to authorize the treasurer of the town of Belgium, in the county of Washington, to receive certain moneys,

Was taken from the table, and said bill No. 78, [A.] was read a third time, passed,

And the title agreed to.

Mr. Murphy moved to adjourn;

Which was not agreed to.

On motion of Mr. Kinney,

Senate resolved itself into committee of the whole on the general file of bills;

Mr. Chase in the chair.

After some time spent therein, the committee rose, and by their chairman reported

No. 7, [S.] joint resolutions relative to a proposed amendment to the constitution of the United States, concerning the election of Senators in Congress;

No. 89, [S.] a bill prescribing certain duties to be performed by the clerks of counties, under the county commissioners' system of government;

And,

No. 90, [S.] a bill to establish a certain state road,

Without amendments;

And,

No. 77, [S.] a bill for the incorporation of the Methodist Episcopal church,

With amendments.

And the question being on concurring in the said amendments to No. 77, [S.]

They were concurred in; and said bill

No. 77, [S.] as amended, was ordered to be engrossed and read a third time.

No. 89, [S.] a bill prescribing certain duties to be performed by the clerks of counties, under the county commissioners' system of government;

And,

No. 7, [S.] joint resolutions relative to a proposed amendment to the constitution of the United States, concerning the election of Senators in Congress;

Were severally ordered to be engrossed and read a third time.

No. 90, [S.] a bill to establish a certain state road, was,

On motion of Mr. Horn,

Referred to the committee on roads and bridges.

A message from the Assembly, by their chief clerk:

Mr. President:—

The Assembly have concurred in the adoption of the following resolution, to wit:

Resolved, by the Senate and Assembly, that the enrolling committee be authorized to present to the Governor for his approval, an act relating to tows and town officers.

The Assembly have non-concurred in the first amendment made by the Senate to

No. 37, [A.] a bill to authorize the construction of a dam across Rock river;

And have concurred in the second amendment made by the Senate to said bill;

And the said message being taken up and considered, and the question being,

Will Senate recede from its first amendment to bill No. 37, [A.]

It was determined in the negative;

And,

On motion of Mr. Smith,

That a committee of conference be appointed to act in conjunction with a similar committee to be appointed on the part of Assembly, on the disagreeing vote of the two houses on bill No. 37, [A.],

It was agreed to;

And Messrs. Smith and Botkin were appointed such committee.

On motion of Mr. Gardner,

Senate adjourned until 10 o'clock to-morrow morning.

THURSDAY, March 1, 1849.

Mr. Dennis called the Senate to order, and on his motion,

Mr. Horn took the chair;

And Senate proceeded to the election of a President pro tempore.

And the roll having been called,

Messrs. Botkin, Boyd, Dennis, Fisher, Goodell, Horn, Kinney, Merrell, and Sprague, 9, voted for Mr. Williams.

Messrs. Chase and Sholes, 2, voted for Mr. Kinney.

Messrs. Murphy, Smith and Williams, 3, voted for Mr. Boyd.

Whereupon Mr. Williams was declared duly elected President of the Senate pro tempore; and

Mr. Williams took the chair, and made the following remarks:

Senators—I am truly sensible of the honor you have just conferred upon me by choosing me your tempory presiding officer. I cannot be so vain as to construe this act of yours into an admission of any superior ability possessed by me, or any peculiar qualifications on my part to perform the duties that your suffrages have devolved upon me. On the contrary, I look upon it as an expression of courtesy and regard on the part of the Senate towards one of its members. I deeply feel my inability properly to discharge the duties of this responsible office, and ask the indulgence and co-operation of the Senate, and I hope by your assistance that the Senate will be enabled to transact the business that may come before it correctly and with dispatch.

Prayer by the Rev. Mr. Penman.

On motion of Mr. Dennis,

The reading of the Journal of yesterday was dispensed with.

Mr. Sholes presented the petition of sundry citizens of the village of Smithport, in Racine county, on the subject of the sale of spirituous liquors;

Which was laid on the table, in order to be taken up with bill No. 91, (S.)

Mr. Horn offered the following resolution:

Whereas, The matter of the contested seat of the Hon. Lemuel Goodell, from the first Senatorial district, is not likely to be acted on during this session, on account of the absence of the majority of the members of the committee on the Judiciary; and, whereas, the question has been fully investigated by the select committee heretofore appointed on the subject;

Therefore,

Resolved, That the seat now occupied by the Hon. Lemuel Goodell, representing the first Senatorial district be declared vacant.

And the same being under consideration, was,

On motion of Mr. Kinney, laid on the table.

Mr. Kinney from the committee on town and county organization, to whom had been referred bill

No. 42, (A.) a bill to change the boundary of the towns of Jefferson and Koskonong, in the county of Jefferson;

Reported the same back without amendment, and recommend its passage.

On motion of Mr. Kinney, bill

No. 24, (A.) a bill to extend the boundaries of the county of Marquette,

Was taken up and referred to the committee on town and county organization.

Mr. Fisher from the committee on engrossed bills, reported as correctly engrossed,

No. 7, (S.) Joint resolutions relative to a proposed amendment to the constitution of the United States, concerning the election of Senators in Congress;

No. 75, (S.) a bill to incorporate Dane Academy;

No. 76, (S.) a bill to amend an act entitled "an act to incorporate the Merchants Mutual Insurance Company of Milwaukee;

No. 77, (S.) a bill for the incorporation of the Methodist Episcopal church;

No. 89, (S.) a bill prescribing certain duties to be performed by the clerks of counties under the county commissioner system of gavernment.

Mr. Sholes from the select committee to whom the subject had been referred reported as follows:

The select committee to which was referred a petition in relation to the jurisdiction of Justices of the Peace, have had the same under consideration, and would respectfully beg leave to call up bill No. 26, Senate file, which now lies on the table, and recommend its passage.

C. L. SHOLES, Ch'n.

Which report was accepted, and bill No. 26, (S.) was returned to general file.

Mr. Dennis from the joint select committee on the report of Commissioners to revise the laws, reported

No. 95, (S.) a bill to provide for the collection of demands against boats and vessels;

Which was read a first and second times;

And

On motion of Mr. Dennis,

Rules were suspended in relation to said bill,

And

On motion of Mr. Kinney,

Senate resolved itself into a committee of the whole on said bill No. 95, (S.)

Mr. Kinney in the chair.

After some time spent therein the committee rose and reported said bill No. 95, (S.) without amendment.

On motion of Mr. Dennis,

Rules were suspended, and said bill No. 95, (S.) was ordered to a third reading now, and said bill

No. 95, (S.) a bill to provide for the collection of demands against boats and vessels,

Was read a third time, passed, and title agreed to.

On motion of Mr. Kinney, the following resolution:

Resolved, (the Senate concurring,) That the Senate and Assembly meet in the Assembly chamber on Thursday, the first day of March next, at two o'clock in the afternoon, to appoint by joint vote some person for Register of the State land office and some person to be Treasurer of the board of public works,

Was taken up and the same being under consideration,

Mr. Kinney moved to amend the same as follows:

Strike out "Thursday the first," and "two" and insert "Saturday the 3d," and "three,"

Which was agreed to;

And the resolution as amended was adopted.

And the ayes and noes being called,

Those who voted in the affirmative, were

Messrs. Botkin, Boyd, Chase, Goodell, Horn, Kinney, Merrell, Murphy, Sholes, and Sprague—10.

Those who voted in the negative, were

Messrs. Dennis, Fisher, Gardner, Smith, and Williams—5.

On motion of Mr. Horn, bill

No. 5, (S.) a bill concerning the rights of married women,

Was taken up, and said bill No. 5, (S.) being on its third reading, Mr. Botkin moved a call of the house—

And the roll having been called,

Messrs. Cothren, Willard, and Smith were reported absent.

On motion of Mr. Kinney, Mr. Cothren was excused.

On motion of Mr. Sholes, Mr. Willard was excused.

Mr. Smith appeared in his seat.

On motion of Mr. Gardner,

Further proceedings in the call were suspended.

Mr. Botkin moved to lay said bill No. 5, (S.) on the table,

Which was not agreed to.

And the ayes and noes being called for,

Those who voted in the affirmative, were

Messrs. Botkin, Dennis, Merrell, and Williams—4.

Those who voted in the negative, were

Messrs. Boyd, Chase, Fisher, Gardner, Goodell, Horn, Kinney, Murphy, Sholes, Smith, and Sprague—11.

And the question being on the passage of said bill No. 5, (S) was read a third time and passed.

And the ayes and noes being called for,

Those who voted in the affirmative, were

Messrs. Boyd, Chase, Dennis, Gardner, Goodell, Horn, Kinney, Murphy, Sholes, Smith, and Sprague—11.

Those who voted in the negative, were

Messrs. Botkin, Fisher, Merrell, and Williams—4.

Mr. Horn moved to amend the title of said bill to read as follows:

"A bill to provide for the protection of married women in the enjoyment of their property."

Mr. Botkin moved to amend the amendment, to read as follows:

"A bill to authorize married women to wear their husbands unmentionables;"

Which was not agreed to.

And the ayes and noes being called for,

Those who voted in the affirmative, were

Messrs. Botkin and Merrell—2.

Those who voted in the negative, were

Messrs. Boyd, Chase, Dennis, Fisher, Gardner, Goodell, Horn, Kinney, Murphy Sholes, Smith, Sprague, and Williams—13.

Mr. Merrell moved to amend the amendment so as to read as follows:

"A bill to declare married women the head of the family;"

Which was not agreed to;

And the ayes and noes being called for,

Those who voted in the affirmative, were

Messrs. Botkin, Fisher and Merrell—3.

Those who voted in the negative, were

Messrs. Boyd, Chase, Gardner, Goodell, Horn, Kinney, Murphy, Sholes, Smith, Sprague and Williams—11.

The amendment was then agreed to;

And the title, as amended, was agreed to.

Mr. Sholes, from the select committee, to whom the subject had been referred, reported as follows:

The committee to which was referred bill No. 92, S. file,

"A bill to provide for the publication of the laws passed at the present session of the Legislature,"

Have had the same under consideration, and beg leave to

REPORT:

That they deem it inexpedient to incur any great expense in the publication of the laws in the mode and form proposed. The revised statutes will undoubtedly be printed and thoroughly distributed during the coming summer, so that, should we now publish the laws proposed to be published in pamphlet form, they would be wanted only for the coming spring election, and would thereafter be superceded by the revised statutes. A substitute is presented for the bill in question, which your committee think will accomplish the temporary purpose which the original bill would accomplish. It provides for a legal publication of the laws, and they have no doubt the papers in different sections of the State will give those which are important a sufficient circulation to answer all purposes until the revised statutes are published and distributed. The original bill, with a substitute, is herewith submitted.

Which report was received, and the committee discharged.

A message from the Assembly, by their chief clerk;

Mr. President :—

I am directed to present for your signature,

"An act to provide for the protection of shade trees, hedges and fences, in certain cases;"

"An act to amend an act to provide for the appraisal and subdivision of the school and university lands, approved August 12, 1848;"

"An act in relation to the Legislature;"

"An act to authorize Thomas P. Williams and others to build a bridge;"

"An act in relation to proceedings to compel the delivery of books and papers by public officers to their successors;"

"An act to prescribe certain duties of the Attorney General of the State, and the district attorney of Milwaukee county;"

"An act to organize the several towns therein named;"

"An act to prevent obstructions of the Wisconsin river and its tributary streams;" and,

Chapter of towns and town officers;

Which have been signed by the Speaker of the Assembly.

The Assembly have adopted the following resolution, in which the concurrence of the Senate is requested, to wit:

Resolved, by the Senate and Assembly, that the enrolling committee be authorized to present to the Governor for his approval,

"An act relating to state officers."

On motion of Mr. Kinney,

Senate resolved itself into committee of the whole on bill No. 92, (S.) a bill to provide for the publication of the laws passed at the present session of the Legislature;

Mr. Gardner in the chair.

After some time spent therein, the committee rose, and by their chairman reported

No. 92, (S.) with amendments.

And the question being on concurring in the amendments of the committee of the whole to bill No. 92, (S.),

And pending the question,

Mr. Boyd, from the committee on enrolled bills, reported as correctly enrolled, No. 82, (S.) a bill in relation to proceedings to compel the delivery of books and papers by public officers to their successors;

No. 71, (S.) a bill authorizing Thomas P. Williams and others to build a bridge;

No. 80, (S.) a bill in relation to the Legislature;

No. 69, (S.) a bill to prescribe certain duties of the Attorney General of the State and the district attorney of Milwaukee county;

And,

No. 40, (A.) a bill to prevent obstructions of the Wisconsin river and its tributary streams;

Mr. Boyd, from the committee on enrolled bills, reported that they did on yesterday present to the Governor for his approval, "An act to incorporate the Wisconsin Bridge Company."

On motion of Mr. Sholes,

Senate adjourned until 3 o'clock this afternoon.

SAME DAY, 3 O'CLOCK, P. M.

The question recurring on concurring in the amendment of the committee of the whole to bill

No. 92, (S.) a bill to provide for the publication of the laws passed at the present session of the Legislature.

Mr. Smith moved to amend the amendment as follows:

Strike out of the third line of section two, "are, or may be," and insert "have been;"

Which was agreed to.

Mr. Gardner moved further to amend the amendment, as follows:

Add to section two, "and it shall be the duty of the Secretary of State to note on each law the date of the publication of the same;"

Which was agreed to;

And the amendments of the committee of the whole, as amended, were agreed to;

And said bill No. 92, (S.) was ordered to be engrossed and read a third time.

Mr. Kinney, from the committee on town and county organization, to whom had been referred

No. 24, (A.) bill to extend the boundaries of Marquette county;

No. 67, (A.) a bill in relation to the boundaries of the counties of Columbia, Adams, Sauk, Chippewa, La Pointe and St. Croix; and,

No. 89, (A.) a bill to extend the boundaries of the county of Winnebago;

Reported said bills back to the Senate without amendment, and recommend the passage of the same, severally.

Mr. Botkin, on leave, introduced bill

No. 96, (S.) a bill for an act to authorize the board of supervisors of Dane county to borrow money to build a court house, and to purchase a site for the same;

Which was read a first and second times.

Mr. Gardner moved a call of the Senate,

And the roll being called,

Messrs. Chase, Dennis and Horn were reported absent.

Mr. Gardner moved that further proceeding in the call be dispensed with;

Which was agreed to;

And the ayes and noes being called,

Those who voted in the affirmative, were

Messrs. Boyd, Gardner, Horn, Merrell, Murphy, Smith and Williams—7.

Those who voted in the negative, were

Messrs. Botkin, Fisher, Goodell, Kinney, Sholes and Sprague—6.

No. 7, (S.) joint resolutions relative to a proposed amendment to the constitution of the United States, concerning the election of Senator in Congress;

Was read a third time and passed;

And the ayes and noes being called for,

Those who voted in the affirmative, were

Messrs. Botkin, Boyd, Chase, Dennis, Gardner, Goodell, Horn, Kinney, Merrell, Sholes, Smith and Sprague—12.

Those who voted in the negative, were—

Messrs. Fisher, Murphy and Williams—3.

The title of the resolution was agreed to.

On motion of Mr. Dennis,

He was excused from further attendance this afternoon.

No. 75, (S.) a bill to incorporate Dane Academy;

No. 77, (S.) a bill for the incorporation of the Methodist Episcopal church;

No. 76 (S.) a bill to amend an act entitled "an act to incorporate the Merchants' Mutual Insurance Company of Milwaukee;

And,

No. 89, (S.) a bill prescribing certain duties to be performed by the clerks of counties, under the county commissioners' system of government;

And,

No. 24, (A.) a bill to extend the boundaries of the county of Marquette;

Were severally read a third time, passed,

And their titles severally agreed to.

A message from the Assembly, by their chief clerk:

Mr. President:—

The Assembly have concurred in the amendment of the Senate to "joint resolution relative to meeting in joint convention, for the purpose of electing State Land Register and Treasurer of Board of Public Works;"

And have appointed

Messrs. W. H. Johnson and Martin as the committee of conference on the part of the Assembly on the disagreeing vote of the Senate and Assembly on

No. 37, (A.) a bill to authorize the construction of a dam across Rock river;"

And have concurred in the passage of

No. 94, (S.) a bill to pay the several sums therein named;

With an amendment, in which the concurrence of the Senate is requested.

The messages of Assembly were taken up, and the following resolution

Resolved, by the Senate and Assembly, that the enrolling committee be authorized to present to the Governor for his approval, "an act relating to State officers,"

Was considered and concurred in.

The amendment of Assembly to bill

No. 94, (S.) a bill to pay the several sums therein named,

Was considered and concurred in;

And the ayes and noes being called for,

Those who voted in the affirmative, were

Messrs. Botkin, Boyd, Chase, Fisher, Gardner, Murphy, Sholes, Smith and Sprague—9.

Those who voted in the negative, were

Messrs. Goodell, Kinney, Merrell and Williams—4.

The Senate resolved itself into a committee of the whole on the general file of bills;

Mr. Sholes in the chair.

After some time spent therein, the committee rose, and by their chairman reported

No. 4, (A.) a memorial to Congress for a grant of land to aid in the construction of a railroad from the Falls of St. Croix to Lake Superior;

No. 42, (A.) a bill to change the boundary of the towns of Jefferson and Koskonong, in the county of Jefferson;

And,

No. 58, (A.) a bill to restore the name and rights of Prairieville Academy,

Without amendment;

And,

No. 25, (A.) a bill to repeal certain acts therein mentioned;

And,

No. 87, (A.) bill to vacate a part of Monroe street, in the village of Monroe;

With amendments to each;

And reported progress on the general file,

And asked leave to sit again;

Which was granted.

The amendment of the committee of the whole to

No. 25, (A.) which was to strike out all after the enacting clause,

Was concurred in;

And the ayes and noes being called for,

Those who voted in the affirmative, were

Messrs. Botkin, Boyd, Chase, Gardner, Goodell, Horn, Kinney, Murphy, Sholes and Williams—10.

Those who voted in the negative, were

Messrs. Fisher, Merrell, Smith and Sprague—4.

On motion of Mr. Kinney, said bill

No. 25, (A.) was laid on the table.

The amendments of the committee of the whole to

No. 87, (A.) were concurred in, and

On motion of Mr. Gardner,

Rules were suspended in regard to said bill No. 87, (A.),

And it was read a third time and passed.

Mr. Gardner moved to amend the title, by adding, "in the county of Green;"

Which was agreed to;

And the title, as amended, was agreed to.

On motion of Mr. Botkin,

Rules were suspended in relation to No. 42, [A.],

And said bill No. 42, [A.] was read a third time, passed,

And the title agreed to.

On motion of Mr. Horn,

Rules were suspended in relation to 58, (A.),

And said bill, No. 58, was read a third time, and

On motion of Mr. Horn,

Said bill No. 58, (A.),

Was laid on the table.

On motion of Mr. Fisher,

Rules were suspended in relation to memorial

No. 4, (A.) and said memorial

No. 4, (A.) was read a third time and passed,

And the title agreed to.

Mr. Boyd, from the committee on enrolled bills, reported as follows:

The committee on enrolled bills would report, that they have this day presented to the Governor for his approval,

"An act in relation to towns and town officers;"

"An act to organize the several towns therein named;"

"An act to prevent obstructions of the Wisconsin river and its tributary streams;"

"An act to prescribe certain duties of the Attorney General of the State, and the district attorney of Milwaukee county;"

"An act to authorize Thomas P. Williams and others a build a bridge;"

"An act to amend an act to provide for the appraisal and subdivision of the school and university lands, approved August 12, 1848;"

"An act to provide for the protection of shade trees, hedges and and fences, in certain cases."

Mr. Boyd, from the committee on enrolled bills, reported as correctly enrolled,

No. 94, (S.) a bill to pay the several sums therein named.

On motion of Mr. Horn,

Senate adjourned until 10 o'clock to morrow morning.

Friday, March 2, 1849.

Prayer by the Rev. Mr. Read.

On motion of Mr. Horn,

The reading of the Journal of yesterday was dispensed with.

Mr. Botkin offered the following resolution:

Resolved, by the Senate and Assembly, That a joint committee, consisting of one member from each house be appointed to act as enrolling committee upon the bills reported by the revisors, and the committee on the compilation of the laws.

Resolved, further, That a joint committee consisting of one member from each house be appointed, whose duty it shall be to carefully examine all enrolled bills, reported by the revisers or the committee on compilation, after the same shall have been examined by the enrolling committee, for the purpose of ascertaining whether or not there are any wrong references in the same, and whether the different bills, and the different parts of the same bill are consistent with each other, or not, and if they discover any defects of any kind to report the same to either house, and thereupon it shall be in order for the two houses to correct the same.

Resolved further, That the enrolling committee above provided for shall be authorized to strike out the word "act" and insert the word "chapter" in any bill before the same is enrolled, where they shall deem it proper to do so, and to correct the references made in sections;

Which was considered and adopted.

A message from the Assembly, by their chief clerk:

Mr. President:—

The Assembly have concurred in the passage of

No. 87, (S.) a bill regulating ferries;

With amendments—

In which the concurrence of the Senate is requested;

And have passed

No. 104, (A.) a bill concerning the writ of Habeas Corpus;

And,

No. 105, (A.) a bill concerning fraudulent conveyances and contracts relative to lands;

In which the concurrence of the Senate is requested.

The Assembly have also concurred in the amendments of the Senate to

No. 87, (A.) a bill to vacate a part of Monroe street in the village of Monroe;

And has passed the following joint resolution, to wit:

Resolved, by the Senate and Assembly, That the Secretary of State is hereby directed to procure and place in the possession of the Secretary of the State Historical Society of Wisconsin, a complete set of the official printed documents of the late Territory, as well as of the State of Wisconsin;

In which the concurrence of the Senate is requested.

And has passed,

No. 57, (A.) a bill to amend an act entitled "an act to establish the time of holding Circuit Courts;"

In which the concurrence of Senate is requested.

Mr. Gardner presented the petition of Hiram Brown and others to change the name of the village of Milford, and, on leave, introduced bill

No. 97, (S.) a bill to change the name of the village of Milford in Green county;

Which was read a first and second times.

And said petition was ordered to lie on the table.

Mr. Kinney on part of the chairman of the committee on Incorporations to whom had been referred bill

No. 74, (A.) a bill to consolidate and amend an act entitled "an act to incorporate Carroll College, approved January 31, 1846, and an act amendatory thereto, approved January 25, 1847,"

Reported the same back without amendment;

And

On motion of Mr. Smith, bill

No. 58, (A.) a bill to restore the name and rights of Prairieville Academy,

Was taken from the table, and, together with said bill No. 74, (A.) was referred to the committee on expiration and re-enactment of laws.

Mr. Fisher from the committee on engrossed bills, reported as correctly engrossed, bill

No. 92, (S.) a bill to provide for the publication of the laws passed at the present session of the legislature.

The message of the Assembly was taken up;

And the following resolution being under consideration, to wit:

Resolved, by the Senate and Assembly, That the Secretary of State is hereby directed to procure and place in the possession of the Secretary of the State Historical Society of Wisconsin a complete set of the official printed documents of the late Territory, as well as of the State of Wisconsin;

On motion of Mr. Smith,

Said resolution was referred to the committee on State affairs.

The amendments of Assembly to bill

No. 87, (S.) a bill regulating ferries,

Were severally concurred in.

The following bills,

No. 104, (A.) a bill concerning the writ of Habeas Corpus;

No. 105, (A.) a bill concerning fraudulent conveyances and contracts relative to lands;

No. 57, (A.) a bill to amend the act entitled "an act to establish the times of holding Circuit Courts;

Were severally read a first and second times;

And on motion of Mr. Kinney,

Said bill No. 57, (A.) was laid on the table until to-morrow morning.

Bill No. 92, (S.) a bill to provide for the publication of the laws passed at the present session of the legislature;

Was read a third time and passed;

And the ayes and noes being called for,

Those who voted in the affirmative, were

Messrs. Botkin, Boyd, Chase, Gardner, Horn, Merrell, Murphy, Norton, Sholes, Smith, Sprague, and Williams—12.

Mr. Kinney voted in the negative.

The title of the bill was agreed to.

A message from the Assembly by their chief clerk;

Mr. President—

I am directed to present for your signature,

"An act to pay the several sums therein named;"

And,

"An act in relation to State officers;"

Which have been signed by the Speaker of the Assembly.

On motion of Mr. Gardner,

Senate resolved itself into a committee of the whole on the general file of bills;

Mr. Horn in the chair.

After some time spent therein, the committee rose, and by their chairman reported bills

No. 26, (S.) a bill relating to Justices of the Peace and their jurisdiction;

No. 91, (S.) a bill relating to the sale of spirituous liquors;

No. 96, (S.) a bill for an act to authorize the board of Supervisors of Dane county to borrow money to build a court house and to purchase a site for the same;

And,

No. 87, (A.) a bill in relation to the boundaries of the counties of Columbia, Adams, Sauk, Chippewa, La Pointe, and St. Croix;

Without amendment.

And also reported progress on the general file of bills, and ask leave to sit again;

Which was granted.

On motion of Mr. Merrell,

Bill No. 67, (A.) was laid on the table.

On motion of Mr. Sholes,

Bill No. 26, (S.) was laid on the table.

On motion of Mr. Norton,

Bill No. 91, (S.) was laid on the table.

No. 96, (S.) was ordered to be engrossed and read a third time;

And,

On motion of Mr. Horn,

Rules were suspended in relation to said bill No. 96, (S.) and it was ordered to be read a third time now; and bill No. 96, (S.) was read a third time and passed.

And the ayes and noes being called for,

Those who voted in the affirmative, were

Messrs. Botkin, Chase, Fisher, Gardner, Horn, Merrell, Murphy, Norton, Smith, Sprague and Williams—11.

Messrs. Kinney and Sholes voted in the negative.

The title of the bill was agreed to.

Mr. Kinney moved to reconsider the vote by which bill

No. 57, (A.) a bill to amend the act entitled "an act to establish the times of holding Circuit Courts,"

Was laid on the table;

Which was agreed to,

And said bill No. 57, (A.) being under consideration,

On motion of Mr. Botkin,

Rules were suspended in relation to said bill No. 57, (A.) and it was ordered to its third reading now, and said bill No. 57, (A.)

Was read a third time passed and the title agreed to.

Mr. Merrell moved to take up bill

No. 67, (A.) a bill in relation to the boundaries of the counties of Columbia, Adams, Sauk, Chippewa, La Pointe, and St. Croix;

Which was agreed to.

And said bill being under consideration, Mr. Merrell moved to amend the same, as follows:

Insert after the word "numbered" in the second line, the words "twelve and"—

Which was agreed to;

And said bill No. 67, (A.) was ordered to be read a third time.

On motion of Mr. Merrell,

Rules were suspended in relation to said bill No. 67, (A.)

And said bill No. 67, (A.)

Was read a third time, passed, and title agreed to.

On motion of Mr. Kinney,

Senate adjourned until 3 o'clock this afternoon.

SAME DAY 3 O'CLOCK, P. M.

Mr. Horn offered the following resolution:

Resolved, That a member be appointed on the Judiciary committee, to act on the same during the absence of Mr. Lakin;

Which was adopted.

Mr. Horn, on leave, introduced bill

No. 98, (S.) a bill to provide for the translating and printing of certain laws in the German Language;

Which was read a first and second times, and ordered to be printed.

On motion of Mr. Dennis,

All rules were suspended in relation to bills

No. 104, (A.) a bill concerning the writ of Habeas Corpus;

And,

No. 105, (A.) a bill concerning fraudulent conveyances and contracts relative to lands;

And said bills were ordered to a third reading now, and said bills No. 104, (A.) and No. 105, (A.)

Were severally read a third time, passed, and their titles severally agreed to.

On motion of Mr. Gardner,

Senate resolved itself into a committee of the whole on the general file of bills;

Mr. Merrell in the chair.

After some time spent therein the committee rose, and by their chairman reported

No. 81, (A.) a bill relating to attorneys;

With amendments;

And,

No. 89, (A.) a bill to extend the boundaries of the county of Winnebago;

And,

No. 94, [A.] a bill to amend an act entitled "an act to incorporate the Lawrence Institute of Wisconsin;

Without amendments.

And the question being on concurring in the amendments of the committee of the whole to bill.

No. 81, [A.] the first amendment was concurred in;

And the second amendment, which was to strike out all after the enacting clause,

Was concurred in; and

On motion of Mr. Kinney,

Said bill No. 81, [A.] was laid on the table.

No. 89, [A.] a bill to extend the boundaries of the county of Winnebago;

Was ordered to be read a third time.

On motion of Mr. Gardner, bill

No. 94, [A.] a bill to incorporate the Lawrence Institute of Wisconsin;

Was referred to the committee on Incorporations.

A message from the Governor:

To the Senate—

Acts of the following titles, to wit:

"An act to amend an act to provide for the appraisal of the School and University lands, approved August 12, 1848;

"An act to prescribe certain duties of the attorney general of the State, and the district attorney of Milwaukee county;

"An act to provide for the protection of shade trees and fences in certain cases;"

"An act to authorize Thomas P. Williams and others to build a bridge;"

Have this day been approved, and signed by me, and deposited in the office of the Secretary of State.

NELSON DEWEY.

Executive Department,
March 28, 1849.

A message from the Assembly by their chief clerk:

Mr. President—

The Assembly have concurred in the passage of

No. 55, (S.) an act prescribe certain duties of the board of public works, and to amend an act to provide for the improvement of the Fox and Wisconsin rivers, and connecting the same by a canal, approved August 8, 1848;

Without amendment;

And have concurred in the adoption of

No. 12, (S.) Joint resolutions for appointing committees on enrolled bills;

And have appointed Mr. Hastings as the committee on the part of the Assembly under the first of said resolutions, and Mr. Cross as the committee under the second of said resolutions.

I am directed to present for your signature,

"An act to appropriate to David Holt the sum therein named;"

"An act to audit the claims of Racine county;"

And,

"An act to organize the town of New Holstein in Calumet county;"

Which have been signed by the Speaker of the Assembly.

Mr. Boyd from the committee on enrolled bills, made the following reports:

The committee on enrolled bills would report

No. 79, (A.) a bill to audit the claims of Racine county;

No. 86, (A.) a bill to organize the town of New Holstein, in Calumet county;

No. 80, (A.) a bill to appropriate to David Holt, jr. the sum therein named;

As correctly enrolled. And further,

The committee on enrolled bills would report that they have this day presented to the Governor for his approval, "An act in relation to State officers;"

"An act to pay the several sums therein named."

JOHN W. BOYD, Ch'n.

On motion of Mr. Horn,

Senate adjourned until 10 o'clock to-morrow morning.

SATURDAY, MARCH 3, 1849.

Prayer by the Rev. Mr. Read.

On motion of Mr. Norton,

The reading of the journal of yesterday was dispensed with.

Mr. Botkin, from the committee on state affairs, to whom the subject has been referred, on leave, reported as follows:

The committee on state affairs, to whom was referred a resolution in relation to placing in the hands of the Secretary of the State Historical Society, a complete set of the official printed documents of the late Territory, as well as the State of Wisconsin, have had the same under consideration,

And have instructed me to report the same back to the Senate, with an amendment, with which they recommend its passage.

A. BOTKIN,
Chairman.

And said amendment, which was to add the following proviso,

"*Provided*, that no expense shall be incurred for printing any such documents,"

Was agreed to;

And the resolution, as amended, was adopted.

Mr. Botkin, from the committee on state affairs, to whom the petition on the subject had been referred, on leave, reported as follows:

The committee on state affairs, to whom was referred the petition of ninety-three of the citizens of Madison, asking permission to hold public worship in the supreme court room during the coming season, have had the subject under consideration, and have instructed me to report in favor of the prayer of the petitioners, and recommend the passage of the following resolution:

Resolved, by the Senate and Assembly, that the person appointed to take charge of the capitol, and other State property, be, and he is hereby authorized to permit any denomination professing the christian religion to hold public worship in the supreme court room in the capitol, under whatever rules and regulations he may deem best for the protection and preservation of the room and furniture during the coming season.

And the said resolution being under consideration,

Mr. Kinney moved to lay the same on the table;

Which was not agreed to;

And the ayes and noes being called for,

Those who voted in the affirmative, were

Messrs. Dennis, Fisher, Kinney, Murphy and Smith—6.

Those who voted in the negative, were

Messrs. Botkin, Boyd, Chase, Cothren, Gardner, Horn, Norton, Sholes, Sprague and Williams—9.

Mr. Horn moved to amend the resolution, as follows:

Strike out "professing the christian religion," and insert, "whether Turk or Jew, Yankee-doodle or Hindoo;"

Which was not agreed to;

And the ayes and noes being called for,

Mr. Horn voted in the affirmative.

Those who voted in the negative, were

Messrs. Botkin, Boyd, Chase, Cothren, Dennis, Fisher, Gardner, Kinney, Murphy, Norton, Sholes, Smith, Sprague and Williams—14.

Mr. Chase moved to amend, by inserting after the word "any" the word "religious," and to strike out after "denominations" the words "professing the christian religion;"

Which was accepted by Mr. Botkin.

And the resolution was adopted;

And the ayes and noes being called for,

Those who voted in the affirmative, were

Messrs. Botkin, Boyd, Chase, Cothren, Dennis, Gardner, Norton, Sholes, Sprague and Williams—10.

Those who voted in the negative, were

Messrs. Fisher, Horn, Kinney, Murphy and Smith—5.

Mr. Cothren, from the select committee, to whom was referred bill

No. 60, [S.] a bill to organize county courts,

Reported the same back with the following amendment:

Strike out all after the word "be," in the second line of the forty-fourth section, and insert, "such as may be prescribed by law;"

And said bill No. 60, [S.] was read a second time.

Mr. Smith, from the committee of conference on that subject, made the following report:

The committee of conference on the disagreeing vote of the two houses on the amendment to the bill

No. 37, [A.] a bill to authorize the construction of a dam across Rock river,

Respectfully report,

That they recommend that the Assembly concur in the said amendment.

JOHN B. SMITH,
A. BOTKIN,
Of the Senate;
WM. H. JOHNSON,
STODDARD H. MARTIN,
Of the Assembly.

Which report was received and adopted.

Mr. Gardner, from the committee on expiration and re-enactment of laws, to whom the subject had been referred, made the following report:

The committee on expiration and re-enactment of laws, to which was referred bills

No. 58, [A.] a bill to restore the name and rights of Prairieville Academy;

And,

No. 74, [A.] a bill to consolidate and amend an act entitled "an act to incorporate Carroll College, approved January 31, 1846, and an act amendatory thereto, approved January 25, 1847,"

Report

No. 58, [A.] back, with an amendment;

And

No. 74, [A.] without amendment, and recommend the passage of the same;

Which report was received,

And said bill

No. 58, [A.] was read a second time.

Mr. Chase, from the joint committee of conference on the disagreeing vote of the two houses, on bill

No. 32, [S.] a bill relating to common schools, have agreed to report, recommending

That the Assembly recede from its amendment to said bill.

W. CHASE.

Which report was received and adopted;

And the ayes and noes being called for,

Those who voted in the affirmative, were

Messrs. Boyd, Chase, Dennis, Fisher, Kinney, Murphy, Sholes, Sprague and Williams—9.

Those who voted in the negative, were

Messrs. Gardner, Horn, Norton and Smith—4.

Mr. Kinney, from the committee on state affairs, to which had been referred

No. 5, [A.] memorial to Congress for an appropriation of land to aid in the construction of a railroad from Milwaukee to the Mississippi river,

Reported said memorial No. 5, [A.] back, without amendment,

And recommended its passage.

Mr. Boyd, from the committee on enrolled bills, reported as correctly enrolled,

No. 55, [A.] a bill to prescribe certain duties of the Board of Public Works, and to amend an act entitled "an act to provide for the improvement of the Fox and Wisconsin rivers, and connecting the same by a canal, approved August 8, 1848."

Mr. Boyd, from the committee on enrolled bills, reported

That they did on yesterday present to the Governor for his approval,

"An act to appropriate to David Holt, jr., the sum therein named;"

"An act to audit the claims of Racine county;"

"An act to organize the town of New Holstein, in the county of Calumet."

A message from the Assembly, by their chief clerk:

Mr. President:—

The Governor has informed the Assembly that he did on yesterday approve, sign, and deposite in the office of the Secretary of State, acts of the following titles, to wit:

"An act to incorporate the Wisconsin Bridge Company;"

"An act to prevent the obstruction of the Wisconsin river and its tributary streams;"

"An act to organize the several towns therein named;"

"An act in relation to towns and town officers;"

"An act to appropriate to David Holt, jr., the sum therein named;"

"An act to audit the claims of Racine county;"

"An act to organize the town of New Holstein, in Calumet county;"

The Assembly have concurred in the passage of

No. 95, [S.] a bill to provide for the collection of demands against boats and vessels;

Without amendment;

And have adopted the following resolution, to wit:

Resolved, by the Senate and Assembly, that the use of the supreme court room be granted to the members of the '1001' fraternity on the afternoon of Monday next;

In which the concurrence of the Senate is requested.

Mr. Horn moved that the Senate adjourn until 3 o'clock this afternoon;

Which was not agreed to.

The message from the Assembly was taken up, and the following resolution:

Resolved, by the Senate and Assembly, that the use of the supreme court room be granted to the members of the '1001' fraternity, on the afternoon of Monday next,

Was considered and adopted.

No. 89, [A.] a bill to extend the boundaries of the county of Winnebago,

Was read a third time and passed,

And the title agreed to;

No. 74, [A.] a bill to consolidate and amend an act to incorporate Carroll College, approved January 31, 1846, and an act amendatory thereto, approved January 25, 1847,

Was read a third time, passed,

And the title agreed to.

On motion of Mr. Horn,

Senate adjourned until 3 o'clock this afternoon;

And the ayes and noes being called for,

Those who voted in the affirmative, were

Messrs. Boyd, Chase, Cothren, Horn, Murphy, Sholes, Smith and Williams—8.

Those who voted in the negative, were

Messrs. Fisher, Gardner, Kinney, Norton and Smith—5.

SAME DAY 3 O'CLOCK, P. M.

Mr. Smith moved a call of the House;

And the roll having been called,

Messrs. Botkin, Norton and Sprague were reported absent.

On motion of Mr. Cothren, Mr. Sprague was excused.

On motion of Mr. Cothren, Mr. Botkin was excused.

A message from the Assembly by their chief clerk:

Mr. President—

I am directed to inform the honorable Senate that seats have been prepared for them in the Assembly hall, and that the Assembly are ready to meet them in joint convention for the purpose of electing one Register of the State Land Office, and one Treasurer of the Board of Public Works.

On motion of Mr. Horn,

The Senate proceeded to the Assembly chamber.

In convention of both houses,

The two houses of the Legislature met in joint convention for the purpose of electing one Register of the State Land Office, and the Treasurer of one Board of Public Works.

On motion of Mr. Cothren,

The convention proceeded to vote *viva voce* for Register of the State Land Office;

Whereupon,

The roll being called,

Those who voted for Jedediah Brown, were

Messrs. Chase, Gardner, Horn, Kinney, Murphy and Sholes, Senators;

And,

Messrs. Ayres, Brown, Briggs, Burns, Chase, Colwell, Colley, Crawford, Daugherty, Delaney, Dick, Fagan, Flynn, Gillilan, Hastings, Hazard, Hill, Kelsey, Kerr, Kuehn, Leland, Lown, Martin, Noble, O'Neal, Parkinson, Phelps, Pierce, Pratt, Reymert, Richardson, Roys, Strong, Sugden, Thorp, Toland, Townsend, Turck, Warren, Wilcox, Willard, Young, and Hobart (Speaker) of the Assembly—40.

Those who voted for Walter H. Besley, were

Messrs. Boyd, Cothren, Dennis, Fisher, Smith and Williams, Senators;

And,

Messrs. Alden, Barber, Clark, Cross, W. H. Johnson, Solon Johnson, Juneau, Kimball, Meade, Rockwell, Thomas and Wells, of ihe Assembly—12.

Mr. Norton, of the Senate, and Mr. Pike, of the Assembly, voted for Henry Merrell—2.

Mr. White, of the Assembly, voted for Solon Johnson—1.

The President announced the result of the vote as follows:

Whole number of votes,	-	70	
Necessary to a choice,	-	36	
Jedediah Brown received	-	40	votes.
Walter H. Besley "	-	18	"
Henry Merrell "	-	2	"
Solon Johnson "	-	1	"

Whereupon,

Jedediah Brown having received a majority of all the votes for that office, was declared duly elected Register of the State Land Office.

On motion of Mr. Chase,

The convention proceeded to vote *viva voce* for Treasurer of the Board of Public Works;

Whereupon,

The roll being called,

Those who voted for Joseph Jackson, were

Messrs. Boyd, Chase, Fisher, Gardner, Kinney, Norton and Sholes, Senators;

And,

Messrs. Ayres, Bowron, Briggs, Burns, Chase, Colwell, Colley, Crawford, Daugherty, Denney, Dick, Flynn, Gillilan, Hastings, Hazard, Hill, Solon Johnson, Kelsey, Leland, Lowry, Martin, Meade, Noble, O'Neal, Parkinson, Phelps, Pratt, Reymert, Rickerson, Strong, Sugden, Thorp, Townsend, Turck, Warren, Wasson, Willard, Young, and Hobart, (Speaker,) of Assembly—46.

Those who voted for Burr S. Craft, were

Messrs. Dennis, Smith and Williams, Senators; and

Messrs. Alden, Barber, Fagan, Kuehn, Kimball, Rockwell, Thomas, Toland and White—12.

Those who voted for Henry B. Welsh, were

Messrs. Cothren, Horn and Murphy, Senators; and Mr. Clark, of the Assembly—4.

Messrs. Cross and W. H. Johnson, of the Assembly, voted for Walter H. Besley—2.

Of the Assembly,

Mr. Juneau voted for - - Latham Sholes;
Mr. Pierce voted for - - Peter Turck;
Mr. Pike voted for - - W. W. Brown;
Mr. Roys voted for - - Felix McLinden;
Mr. Wells voted for - - Julius Patricius Bolivar McCabe.

The President announced the result of the vote as follows:

Whole number of votes,		69
Necessary to a choice,		35
Joseph Jackson received		46 votes.
Burr S. Craft	"	12 "
Henry D. Welsh	"	4 "
Walter H. Besley	"	2 "
C. Latham Sholes	"	1 "
Peter Turck	"	1 "
Felix McLinden	"	1 "
W. W. Brown	"	1 "
J. P. B. McCabe	"	1 "

Whereupon,

Joseph Jackson, having received a majority of all the votes for that office, was declared duly elected Treasurer of the Board of Public Works.

On motion of Mr. Cothren,

The convention then dissolved.

The Senate having returned to the Senate chamber,

The President announced the result of the vote of the joint convention.

A message from the Governor:

Executive Department,
Madison, March 2, 1849.

To the Senate—

I have this day approved, signed and deposited in the office of the Secretary of State, acts of the following titles:

"An act relating to State officers;"

"An act to pay the several sums therein named."

NELSON DEWEY.

On motion of Mr. Chase,

Senate adjourned until 10 o'clock on Monday morning.

MONDAY, March 5, 1849.

Prayer by the Rev. Mr. Read.

On motion of Mr. Botkin,

The reading of the Journal of Saturday was dispensed with.

Mr. Kinney from the committee on town and county organization, to whom had been referred the resolution of the people of the city of Milwaukee in relation to the subject, on leave, reported bill

No. 106, (S.) a bill to aid in the construction of rail roads and plank roads;

Which was read a first and second times, and ordered to be printed.

On motion of Mr. Smith, bill

No. 25, (S.) a bill to amend an act entitled "an act to incorporate the city of Milwaukee," approved January 31, 1846,

Was taken from the table and returned to the general file.

On motion of Mr. Smith,

Senate resolved itself into a committee of the whole on said bill No. 25, [S.]

Mr. Botkin in the chair.

After some time spent therein the committee rose, and by their chairman reported said bill No. 25, [S.] with a substitute as an amendment.

And the question being on concurring in the amendment of the committee of the whole to said bill No. 25, [S.]

It was concurred in.

On motion of Mr. Smith,

Rules were suspended in relation to said bill No. 25, [S.] and it was ordered to a third reading now, and said bill No. 25, [A.] was read a third time and passed.

Mr. Smith moved to amend the title by adding "and acts amendatory thereto;"

Which was agreed to.

And the title as amended was agreed to.

A message from the Assembly by their chief clerk:

Mr. President—

I am directed to present for your signature,

"An act to prescribe certain duties of the board of public works and to amend an act entitled 'an act to provide for the improvement of the Fox and Wisconsin rivers and connecting the same by a canal,' approved August 8, 1848;"

"An act to change the boundary of the towns of Jefferson and Koskonong in the county of Jefferson;"

"An act to extend the boundaries of the county of Marquette;"

"An act to vacate a part of Monroe street in the village of Monroe, in the county of Green;"

"An act to authorize the Treasurer of the town of Belgium, in the county of Washington to receive certain money;"

And,

"Memorial to Congress for a grant of land to aid in the construction of a rail road from the falls of St. Croix to Lake Superior;"

Which have been signed by the Speaker of the Assembly.

The Assembly have concurred in the amendment of the Senate to resolution relative to depositing official documents with the State Historical Society;

And have concurred in the adoption of the resolution granting the Supreme Court room to be used as a place of public worship;

Without amendment.

On motion of Mr. Horn, bill

No. 98, (S.) a bill to provide for the translating and printing of certain laws in the German language,

Was taken from the general file, and referred to the committee on public printing.

Under rule, the Senate resolved itself in a committee of the whole on bill from Revisers,

No. 99, (S.) a bill in relation to highways and bridges;

Mr. Norton in the chair.

After some time spent therein, the committee rose and by their chairman reported no quorum present.

Mr. Kinney moved a call of the house;

And the roll having been called,

Messrs. Botkin, Cothren, Dennis, Fisher and Williams, were reported absent.

The absentees having appeared,

On motion of Mr. Kinney,

Further proceedings in the call were suspended.

On motion of Mr. Chase,

Senate again resolved itself into a committee of the whole on said bill No. 99, [S.]

Mr. Norton in the chair.

After some time spent therein the committee rose, and by their chairman reported progress on said bill No. 99, [S.]

And ask leave to sit again;

Which was granted.

Mr. Boyd from the committee on enrolled bills reported as correctly enrolled,

No. 24, [A.] a bill to extend the boundaries of the county of Marquette;

No. 78 [A.] a bill to authorize the treasurer of the town of Belgium, in the county of Washington to receive certain moneys;

No. 87, [A.] a bill to vacate part of Monroe street in the village of Monroe;

No. 4, [A.] a memorial to Congress for a grant of land to aid in the construction of a rail road from the Falls of St. Croix to Lake Superior;

And,

No. 42, [A.] a bill to change the boundaries of the towns of Jefferson and Koshkonong, in the county of Jefferson.

On motion of Mr. Horn,

Senate adjourned until 10 o'clock to-morrow morning.

TUESDAY, March 6, 1849.

The Senate was called to order by Mr. Boyd.

Prayer by the Rev. Mr. Lord.

On motion of Mr. Cothren,

The Senate proceeded to the election of a President of the Senate pro tempore.

And the roll having been called,

Those who voted for Mr. Horn, were

Messrs. Cothren, Dennis, Gardner, Murphy and Sprague, 5.

Those who voted for Mr. Kinney, were

Messrs. Boyd, Fisher, Sholes, and Smith, 4.

Messrs. Botkin and Merrell voted for Mr. Boyd, 2.

Messrs. Horn and Norton voted for Mr. Botkin, 2.

Mr. Kinney voted for Mr. Gardner, 1.

No choice being made, a second vote was ordered.

And the roll having been called,

Messrs. Cothren, Dennis, Gardner, Murphy, and Sprague, voted for Mr. Horn, 5.

Messrs. Boyd, Sholes and Smith, voted for Mr. Kinney, 3.

Messrs. Botkin and Horn, voted for Mr. Murphy, 2.

Messrs. Merrell and Norton, voted for Mr. Botkin, 2.

Mr. Fisher voted for Mr. Norton, 1.

Mr. Kinney voted for Mr. Gardner, 1.

No choice having been made, a third vote was ordered.

And the roll having been called,

Messrs. Boyd, Cothren, Dennis, Gardner, Murphy, and Sprague, voted for Mr. Horn, 6.

Messrs. Botkin, Chase, Horn, Kinney and Smith, voted for Mr. Cothren, 5.

Messrs. Merrell and Norton, voted for Mr. Botkin, 2.

Mr. Fisher voted for Mr. Murphy, 1.

Mr. Sholes voted for Mr. Kinney, 1.

No choice having been made, a fourth vote was ordered.

And the roll having been called,

Messrs. Boyd, Cothren, Dennis, Fisher, Gardner, Kinney, Murphy, Norton, Smith and Sprague, voted for Mr. Horn, 10.

Messrs. Chase, Horn and Merrell, voted for Mr. Kinney, 3.

Mr. Botkin voted for Mr. Cothren, 1.

Messrs. Sholes and Horn voted for Mr. Botkin, 2.

Whereupon Mr. Horn having received a majority of all the votes cast, was declared duly elected President pro tempore of the Senate, and was conducted to the chair.

On motion of Mr. Norton,

The reading of the journal of yesterday was dispensed with.

On motion of Mr. Norton,

The rule for proceeding to the order of business was suspended, and

Mr. Norton, on leave, introduced bill

No. 101, (S.) a bill to provide for the publication of an act to amend the act entitled "an act to establish the time of holding Circuit Courts;"

Which was read a first and second times.

On motion of Mr. Norton,

All rules were suspended in relation to said bill No. 101, (S.) and it was ordered to its third reading now;

And said bill No. 101, (S.) was read a third time, passed, and the title agreed to.

Mr. Gardner, on leave, introduced bill

No. 102, (S.) a bill to incorporate the first Christian Society in the town of Monroe, in the county of Green;

Which was read a first and second times.

Mr. Cothren from the joint committee on compilation, on leave, reported bill

No. 103, (S.) a bill relating to set-offs, amendments, of ejectment, and the time of commencing actions;

And on motion of Mr. Cothren,

Said bill No. 103, (S.) was laid on the table until to-morrow.

Mr. Cothren, on leave, introduced the following resolution:

Resolved, by the Senate and Assembly, That the Legislature will adjourn on the 25th day of March, instant.

Mr. Botkin moved to lay the said resolution on the table;

Which was agreed to.

And the ayes and noes being called for,

Those who voted in the affirmative, were

Messrs. Botkin, Boyd, Chase, Gardner, Horn, Kinney, Merrell, Smith and Sprague—9.

Those who voted in the negative, were

Messrs. Cothren, Dennis, Fisher, Murphy, Norton and Sholes—6.

On motion of Mr. Smith,

The Senate resolved itself into a committee of the whole on bill

No. 99, (S.) a bill in relation to highways and bridges;

Mr. Norton in the chair,

After some time spent therein the committee rose and by their chairman reported said bill No. 99, (S.) with amendments:

And the question being on concurring in the amendments of the committee of the whole to said bill No. 99, (S.)

They were concurred in;

And said bill No. 99, (S.) was ordered to be engrossed and read a third time.

A message from the Assembly by their chief clerk:

Mr. President—

The Assembly have adopted the report recommended by the committee of conference on the disagreeing vote of the Senate and Assembly on

No. 32, (S.) a bill relating to common schools;

And have concurred in the passage of

No. 101, (S.) a bill to provide for the publication of an act to amend the act entitled "an act to establish the time of holding Circuit Courts;"

Also of

No. 70, (S.) a bill to enable the city of Milwaukee to aid in the construction of a rail road from that city to the Mississippi river;

Without amendments.

Mr. Boyd from the committee on enrolled bills reported as follows:

The committee on enrolled bills would report that they have this day presented to the Governor for his approval,

"An act to prescribe certain duties of the board of public works, and to amend an act entitled "an act to provide for the improvement of the Fox and Wisconsin rivers, and connecting the same by a canal, approved August 8, 1848;"

"An act to extend the boundaries of the county of Marquette;"

"An act to authorize the Treasurer of Belgium in the county of Washington to receive certain money;"

"An act to change the boundary of the towns of Jefferson and Koshkonong in the county of Jefferson;"

"Memorial to Congress for a grant of land to aid in the construction of a rail road from the falls of St. Croix to Lake Superior;"

"An act to vacate a part of Monroe street in the village of Monroe in the county of Green."

Mr. Sholes presented the remonstrances of sundry citizens of Racine county against a change in the town lines of the towns of Paris and Bristol in said county;

Which were referred to the committee on town and county organization.

Mr. Botkin presented the remonstrance of N. J. Tompkins and 28 others against setting off and organizing as a separate town, town 7, range 10, Dane county;

Which was referred to committee on town and county organization.

Mr. Kinney from the committee on claims, reported bill

No. 104, (S.) a bill to appropriate the several sums therein named;

Which was read a first and second times.

Mr. Murphy from the committee on claims, to whom had been referred bill

No. 46, (A.) a bill to appropriate to Daniel Noble Johnson the sum therein named,

Reported the same back without amendment, and recommend its passage.

On motion of Mr. Chase, bill

No. 45, (A.) a bill to appropriate to H. A. Tenney the sum therein named,

Was taken from the table and considered.

Mr. Sholes moved to amend the amendment which had been concurred in, which was to strike out $713, 63-100 and insert $551, 17-100, by adding thereto $46;

Which was not agreed to.

Mr. Sholes moved further to amend the amendment, by adding thereto $35;

Which was not agreed to.

Mr. Sholes moved further to amend the amendment by adding thereto $17,50;

And pending the question,

On motion of Mr. Gardner,

Said bill No. 45, (S.) together with the pending amendment was referred to the committee on public printing.

Mr. Smith from the joint select committee appointed under a resolution of the Senate and Assembly "to enquire into and examine the accounts and affairs of the late Superintendent of public property, so far as they may relate to his acts as a public officer, and to report their doings to the two houses of the legislature at its present session,"

Reported as follows: (See Appendix.)

On motion of Mr. Chase,

The said report was ordered to be printed.

Mr. Sholes from the committee on public printing, to which had been referred, bill

No. 25, (A.) an act to appropriate to H. A. Tenney the sum therein named,

Reported the same back with the following amendment:

Strike out "$541, 17-100" and insert "five hundred and seventy six dollars and two cents."

And said bill No. 25, (A.)

Was read a second time.

Mr. Gardner moved to adjourn until 3 o'clock this afternoon;

Which was not agreed to.

On motion of Mr. Sholes,

All rules were suspended in relation to said bill No. 25, (A.) and it was taken up;

And the question being on concurring in the amendment of the committee,

It was concurred in.

A message from the Governor:

To the Senate—

I have this day approved, signed, and deposited in the office of the Secretary of State,

"An act entitled 'an act to prescribe certain duties of the board of public works,' and to amend an act entitled 'an to provide for the improvement of the Fox and Wisconsin rivers, and connecting the same by a canal,' approved August 8, 1848."

NELSON DEWEY.

Executive Department,
March 6, 1849.

On motion of Mr. Chase,

Rules were suspended in relation to bill No. 25, (A.)

And the question being on the passage of said bill,

Pending the question,

On motion of Mr. Gardner,

Senate adjourned until 3 o'clock this afternoon.

SAME DAY 3 O'CLOCK, P. M.

The pending question being on the passage of bill No. 25, (A.) an act to appropriate to H. A. Tenney the sum therein named,

Mr. Kinney moved that said bill be referred to the committee of the whole;

Which was not agreed to.

Mr. Gardner moved a call of the house.

Messrs. Murphy and Williams were reported absent.

Mr. Murphy having appeared in his seat,

On motion of Mr. Norton,

Further proceedings in the call were were dispensed with.

And the question recurring on the passage of bill No. 25, (S.) said bill

No. 25, (S.) an act to appropriate to H. A. Tenney the sum therein named,

Was read a third time and passed.

And the ayes and noes having been called,

Those who voted in the affirmative, were

Messrs. Botkin, Boyd, Chase, Cothren, Gardner, Horn, Merrell, Norton, Sholes, Smith and Sprague—11.

Those who voted in the negative, were

Messrs. Fisher, Kinney and Murphy—3.

The title was agreed to.

Mr. Norton from the committee on legislative expenditures to whom the subject had been referred, reported as follows:

The committee on legislative expenditures, to whom was referred sundry certificates issued for the payment of members and officers of what is usually called the "Bogus Session," held in the winter of 1842, have had the same under consideration, and have instructed me to report the same back to the Senate, and ask their reference to the committee on claims for reason that the said committee on claims have now in their hands several certificates of the same kind.

O. W. NORTON,
Chairman.

Which report was adopted, and the committee discharged from further consideration of the subject.

Mr. Botkin presented the petition of F. Humdhries and 54 others, praying for a re-survey of the State Road from Madison to Monroe, Green county;

Also,

The petition of George McFadden and 17 others on the same subject;

Which were severally referred to the committee on roads and bridges.

The President appointed Mr. Gardner as a member of the committee of the judiciary in the absence of Mr. Lakin.

On motion of Mr. Gardner,

Senate resolved itself into a committee of the whole on the general file of bills;

Mr. Chase in the chair.

After some time spent therein the committee rose and by their chairman reported

No. 5, (A.) Memorial to Congress for an appropriation of land to aid in the construction of a rail road from Milwaukee to the Mississippi river;

No. 46, (A.) a bill to appropriate to Daniel Noble Johnson the sum therein named;

No. 58, (A.) a bill to restore the name and rights of Prairieville Academy;

And,

No. 97, (S.) a bill to change the name of the village of Milford in Green county;

Without amendments;

And reported progress on the general file,

And ask leave to sit again;

Which was granted.

The report of the committee being under consideration, No. 97, (S.)

Was ordered to be engrossed and read a third time.

On motion of Mr. Gardner,

All rules were suspended in relation to said bill, and it was ordered to a third reading now;

And said bill No. 97, (S.)

Was read a third time, passed, and the title agreed to.

No. 5, (A.) was ordered to a third reading.

On motion of Mr. Smith,

All rules were suspended in relation to memorial No. 5, (A.) and it was ordered to its third reading now;

And said memorial No. 5. (A.)

Was read a third time, passed, and the title agreed to.

No. 58, (A.) was ordered to a third reading.

On motion of Mr. Smith,

All rules were suspended in relation to bill No. 58, (A.) and said bill was ordered to its third reading now;

And bill No. 58, (S.)

Was read a third time, passed, and the title agreed to.

No. 46, (A.) was ordered to a third reading.

On motion of Mr. Kinney,

All rules were suspended in relation to bill No. 46, (A.) and it was ordered to its third reading now;

And bill No. 46, (A.)

Was read a third time, passed, and the title agreed to.

Mr. Kinney moved to reconsider the vote by which bill

No. 103, (S.) a bill relating to set-offs, amendments, the action of ejectment, and the time of commencing actions,

Was laid on the table;

Which was not agreed to.

And the ayes and noes being called for,

Those who voted in the affirmative, were

Messrs. Chase, Gardner, Kinney and Smith—4.

Those who voted in the negative, were

Messrs. Botkin, Boyd, Fisher, Horn, Merrell, Norton, Sholes and Sprague—8.

Mr. Boyd from the committee on enrolled bills reported as correctly enrolled,

No. 67, (A,) a bill in relation to the boundaries of the counties of Columbia, Adams, Sauk, Chippewa, La Pointe and St. Croix;

No. 37, (A.) a bill to authorize the construction of a dam across Rock river;

No. 89, (A.) a bill to extend the boundaries of the county of Winnebago;

No. 57, (A.) a bill to amend an act entitled "an act to establish the times of holding Circuit Courts;

No. 101, (S.) a bill to provide for the publication of an act to amend the act entitled "an act to establish the time of holding Circuit Courts.

Mr. Boyd from the committee on enrolled bills reported as follows:

The committee on enrolled bills would report that they have this day presented to the Governor for his approval,

"An act to provide for the publication of an act to amend the act entitled 'an act to establish the time of holding Circuit Courts;'"

"An act to amend the act entitled 'an act to establish the times of holding Circuit Courts.'"

J. W. BOYD.

Mr. Norton moved that Senate adjourn;

Which was not agreed to.

On motion of Mr. Kinney,

No. 3, (S.) Joint resolutions relating to public lands,

Was taken from the table;

And said resolution No. 3, (S.)

Was ordered to be engrossed and read a third time.

Mr. Norton moved that Senate adjourn;

Which was not agreed to.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Botkin, Boyd, Horn, and Norton—4.

Those who voted in the negative, were

Messrs. Chase, Fisher, Gardner, Kinney, Merrell, Murphy, Sholes, Smith and Sprague—9.

Mr. Smith asked and obtained leave of absence for himself for ten days from and after Friday next.

On motion of Mr. Smith,

Senate resolved itself into a committee of the whole on bill No. 60, (S.) a bill to organize county courts;

Mr. Kinney in the chair.

After some time spent therein the committee rose and by their chairman reported said bill No. 60, (S.)

With amendments.

And the question being on concurring in the amendments of the committee of the whole to said bill No. 60, (S.);

They were concurred in.

Mr. Sholes moved further to amend the sixth section by adding after the words "thereof" "or such other place in said county as the board of supervisors of said county may direct."

Mr. Botkin moved to amend the amendment by adding,

"Provided the court shall be placed on large wheels to make it easy of transportation from place to place;"

Which was not agreed to.

And the question recurring on the amendment,

It was agreed to.

Mr. Dennis moved to strike out the sixth section, and insert as follows:

The county court shall be held in each of the organized counties of this State at the place where the circuit court is holden, unless otherwise directed by the board of supervisors, four terms in each year, and shall continue from day to day as the Judge thereof may find necessary or convenient for the transaction of business. The said court shall also be open on the first Monday of each month, at the place aforesaid for the transaction of Probate business;

Which was agreed to.

Mr. Dennis moved to strike out sections 19 and 20;

Which was agreed to.

Mr. Sholes moved to amend the first section as follows:

Add after the word "thereof" "or such other place in said county as the board of supervisors of said county may direct."

Mr. Botkin moved a call of the house.

Messrs. Boyd, Chase, Kinney and Williams, were reported absent.

The absentees, except Mr. Williams, appeared in their seats.

On motion of Mr. Dennis,

Further proceedings in the call were suspended.

And the question recurring on said amendment,

It was agreed to.

Mr. Gardner moved to amend the sixth section as follows:

Add to section 6 "and the board of supervisors of each county shall so arrange the terms of said court as not to interfere with the terms of the Circuit Courts;"

Which was not agreed to.

And the qeestion being on ordering said bill No. 60, (S.) to be engrossed and read a third time,

It was agreed to.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Boyd, Cothren, Dennis, Fisher, Gardner, Horn, Murphy, Sholes, Smith and Sprague—10.

Those who voted in the negative, were

Messrs. Botkin, Chase and Merrell—3.

On motion of Mr. Smith,

The following resolution,

Resolved, by the Senate and Assembly, That the legislature will adjourn on the 25th day of March, instant, Was taken from the table and considered.

Mr. Smith moved to amend as follows:

Strike out "twenty fifth day of March" and insert "first Monday of April next."

Mr. Botkin moved to amend the amendment as follows:

Add "or when we get through revising the laws."

And pending the question,

On motion of Mr. Fisher,

Senate adjourned until 10 o'clock to-morrow morning.

WEDNESDAY, March 7, 1849.

Prayer by the Rev. Mr. Read.

On motion of Mr. Fisher,

The reading of the journal of yesterday was dispensed with.

Mr. Gardner presented the petition of John Fisher and others, inhabitants of Green county, asking that a strip of land, four rods in width, immediately adjacent to the State line, may be declared a public highway;

Which was referred to the committee on roads and bridges.

Mr. Botkin presented the claim of Shields & Sneden against the State;

Which was referred to the committee on claims.

Mr. Botkin presented the petition of Thomas Maley and 33 others, praying that town 8, range 9, Dane county, may be organized into a separate town, by the name of Westport;

Which was referred to the committee on town and county organization.

Mr. Botkin presented the petition of John S. Walker, Charles Welson, and 103 others, in relation to a railroad from Lake Michigan to the Mississippi river;

Which was referred to the committee on state offairs.

Mr. Chase, on leave, introduced bill.

No. 105, (S.) a bill to repeal the laws for the collection of debts;

Which was read a first and second times,

And ordered to be printed.

Mr. Fisher, from the committee on engrossed bills reported as correctly engrossed,

No. 3, (S.) joint resolutions relating to public lands;

No. 99, (S.) a bill in relation to highways and bridges.

Mr. Chase, from the select committee on bill in relation to State officers, to which had been referred

No. 36, (S.) a bill for an act entitled "an act to provide for the election of a State Librarian, and to define his powers and duties,"

Reported the same back, with a substitute as an amendment;

And said bill

No. 36, (S.) was read a second time.

A message from the Assembly, by their chief clerk:

Mr. President: —

I am directed to present for your signature,

"An act to amend the act entitled 'an act to establish the times of holding the circuit courts;'"

"An act to provide for the publication of an act to amend the act entitled 'an act to establish the time of holding circuit courts;'"

"An act to authorize the construction of a dam across Rock river;"

"An act to extend the boundaries of Winnebago county:"

And,

"An act in relation to the boundaries of the counties of Columbia, Adams, Sauk, Chippewa, La Pointe and St. Croix;"

Which have been signed by the Speaker of the Assembly.

The Governor has informed the Assembly, that he did on yesterday approve, sign and deposite in the office of the Secretory of State,

"An act to vacate a part of Monroe street, in the village of Monroe, in the county of Green;"

"An act to authorize the town of Belgium, in the county of Washington, to receive certain money;"

"An act to change the boundary of the towns of Jefferson and Koshkonong, in the county of Jefferson;"

"An act to extend the boundaries of the county of Marquette;"

And,

"A memorial to Congress for a grant of land to aid in the construction of a railroad from the Falls of St. Croix to Lake Superior."

The Assembly have passed,

No. 76, (A.) a bill in relation to the assessment and collection of taxes;

In which the concurrence of the Senate is requested;

And have concurred in the passage of

No. 85, (S.) a bill in relation to strays;

And,

No. 86, (S.) a bill in relation to the disposition of unclaimed property;

With amendments to each;

In which the concurrence of the Senate is requested.

And the said message having been taken up,

No. 76, (A.) a bill in relation to the assessment and collection of taxes,

Was read a first and second times.

The amendments of the Assembly to bill

No. 86, (S.) a bill in relation to the disposition of unclaimed property,

Was concurred in.

The amendments of the Assembly to bill

No. 85, (S.) a bill in relation to strays,

Being under consideration,

The first, second, third, fourth, fifth, sixth, seventh, eighth and ninth amendments,

Were severally concurred in;

And the ayes and noes being called for,

Those who voted in the affirmative, were

Messrs. Chase, Gardner, Horn, Kinney, Sholes and Sprague—6.

Those who voted in the negative, were

Messrs. Botkin, Boyd, Fisher, Merrell, Murphy, Norton and Smith—7.

Under rule,

The Senate resolved itself into committee of the whole on bill from Assembly, reported by revisors,

No. 76, (A.) a bill in relation to the assessment and collection of taxes;

Mr. Sholes in the chair.

After some time spent therein, the committee rose, and by their chairman reported progress,

And asked leave to sit again;

Which was granted.

Mr. Horn asked and obtained leave of absence for a few days, after Tuesday next.

On motion of Mr. Chase, bill

No. 37, (S.) a bill to amend an act entitled "an act to provide for the improvement of the Fox and Wisconsin rivers, and connecting the same by a canal, approved August 8, 1848,"

Was taken from the table and returned to the general file.

On motion of Mr. Sholes,

Senate adjourned until half-past 2 o'clock.

SAME DAY, HALF-PAST TWO O'CLOCK P. M.

No. 3, (S.) joint resolutions relating to public lands,

Was read a third time and passed;

And the ayes and noes being called for,

Those who voted in the affirmative, were

Messrs. Botkin, Boyd, Chase, Dennis, Fisher, Gardner, Kinney, Norton and Sholes—9.

Those who voted in the negative, were

Messrs. Cothren, Horn, Merrell, Murphy, Smith and Sprague—6.

And the question being on agreeing to the title,

It was agreed to.

Mr. Smith moved that the following be the title:

"Joint resolutions relating to Buncombe;"

Which was not agreed to;

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Horn, Merrell, Murphy, Norton and Smith—5.

Those who voted in the negative, were

Messrs. Botkin, Boyd, Chase, Dennis, Fisher, Gardner, Kinney, Sholes and Sprague—9.

Mr. Botkin moved that the following be the title:

"Resolutions by which every man can vote himself a farm;"

Which was not agreed to;

And the ayes and noes having been called for,

Those who voted in the ffirmative, were

Messrs. Botkin, Fisher, Horn, Merrill, Murphy, Norton and Smith—7.

Those who voted in the negative, were

Messrs. Boyd, Chase, Dennis, Gardner, Kinney, Sholes and Sprague—7.

The President voted in the negative.

Mr. Horn moved that the following be the title:

"Resolutions relative to the one and main idea of the 'Warren Chase;'"

Which was not agreed to;

And the ayes and noes having been called for,

Messrs. Horn and Merrell voted in the affirmative—2.

Those who voted in the negative, were

Messrs. Botkin, Boyd, Chase, Dennis, Fisher, Gardner, Kinney, Murphy, Norton, Sholes, Smith and Sprague—12.

Mr. Kinney moved a reconsideration of the vote, by which the title to joint resolutions No. 3, (S.) was disagreed to.

Mr. Smith moved to lay the motion on the table;

Which was not agreed to;

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Botkin, Horn, Merrell, Murphy and Smith—5.

Those who voted in the negative, were

Messrs. Boyd, Chase, Dennis, Fisher, Gardner, Kinney, Norton, Sholes and Sprague—9.

And the question recurring on reconsidering the vote on disagreeing to the title of No. 3, (S.),

It was agreed to.

Mr. Smith moved to amend the title as follows:

Strike out "relating to," and insert, "to give away the;"

Which was not agreed to;

And the title was agreed to.

No. 99, (S.) a bill in relation to highways and bridges,

Was read a third time, passed,

And the title agreed to.

On motion of Mr. Sholes,

Senate again resolved itself into a committee of the whole on bill

No. 76, (A.) a bill in relation to the assessment and collection of taxes;

Mr. Norton in the chair.

After some time spent therein, the committee rose, and by their chairman reported said bill No. 76, (A.) back to the Senate;

And,

On motion of Mr. Kinney, said bill

No. 76, (A.) a bill in relation to the assessment and collection of taxes,

Was recommitted to a select committee, consisting of Messrs. Boyd, Norton and Gardner.

A message from the Assembly by their chief clerk:

Mr. President—

I am directed to present for your signature,

"An act to consolidate and amend an act entitled 'an act to incorporate Carroll College,' approved January 31, 1846, and an act amendatory thereto, approved January 25, 1847;'"

Which has been signed by the Speaker of the Assembly.

The Assembly have passed

No. 129, (A.) a bill to amend an act entitled "an act to establish the times of holding circuit courts, approved August 19, 1848;"

In which the concurrence of the Senate is requested.

The Assembly have concurred in the passage of

No. 79, (S.) a bill to incorporate the village of Watertown;

Without amendment.

The Governor has informed the Assembly that he did on yesterday approve, sign and deposite in the office of the Secretary of State,

"An act to amend an act entitled 'an act to establish the times of holding circuit courts.'"

The Assembly have receded from their tenth amendment to

No. 85, (S.) a bill in relation to strays;

And have concurred in the passage of

No. 25, (S.) a bill to amend an act entitled "an act to incorporate the city of Milwaukee, and acts amendatory thereto,"

Without amendment.

Also that Assembly have passed

No. 82, (A.) a bill to divide the town of Cotton Grove, in Dane county, into two separate towns;

No. 135, (A.) a bill to amend an act to provide for levying a state revenue, approved August 7, 1848; and,

No. 110, (A.) a bill to authorize the construction of a wharf on the Milwaukee river;

In which the concurrence of the Senate is requested.

A message from the Governor:

To the Senate—

"An act entitled an act to provide for the publication of an act to amend the act entitled 'an act to establish the time of holding circuit courts,'"

Was, on the 6th instant, approved and signed by me, and deposited in the office of the Secretary of State.

NELSON DEWEY.

Executive Department,
March 7, 1849.

On motion of Mr. Merrell,

Senate resolved itself into committee of the whole on bill

No. 37, (S.) a bill to amend an act entitled "an act to provide for the improvement of the Fox and Wisconsin rivers, and connecting the same by a canal, approved August 8, 1848;"

Mr. Murphy in the chair.

After some time spent therein, the committee rose, and by their chairman reported the said bill No. 37, (S.),

With amendments;

And the question being on concurring in the amendments of the committee of the whole to said bill No. 37, (S.),

They were concurred in.

Mr. Kinney moved further to amend said bill, by adding the following section:

"This act shall be published by the State Printer, immediately after its passage, and take effect from and after its passage;"

Which was agreed to.

Mr. Cothren moved further to amend said bill, by adding as follows:

"Section 5. The said act is hereby so amended as that no pre-emption rights to any lands specified in the said act, shall be acquired after the passage and publication of this act;"

Which was not agreed to;

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Cothren, Fisher, Horn, Murphy and Sprague—5.

Those who voted in the negative, were

Messrs. Botkin, Boyd, Chase, Dennis, Gardner, Kinney, Merrell, Norton, Sholes and Smith—10.

Mr. Fisher moved further to amend said bill, by adding as follows:

"Section 6. None but actual settlers shall ever be entitled to purchase land of this State, and that in parcels of not more than 160 acres;

"Section 7. No person shall be entitled to purchase such land who is owner of any real estate to the amount of 160 acres or more;"

Which was not agreed to;

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Cothren, Fisher, Gardner, Murphy, Sholes and Sprague—6.

Those who voted in the negative, were

Messrs. Botkin, Boyd, Chase, Dennis, Horn, Kinney, Merrell, Norton and Smith—9.

And the question being on ordering said bill

No. 37, (S.) to be engrossed and read a third time,

On motion of Mr. Chase,

All rules were suspended in relation to said bill,

And it was ordered to its third reading now;

And bill

No. 37, (S.) was read a time and passed;

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Botkin, Boyd, Chase, Dennis, Horn, Kinney, Merrell, Murphy and Sholes—9.

Those who voted in the negative, were

Messrs. Cothren, Fisher, Gardner, Norton, Smith and Sprague—6.

The title of the bill was agreed to.

On motion of Mr. Cothren, bill

No. 20, (S.) a bill to establish a state road through a part of Iowa, Richland, and Sauk counties,

Was taken from the table and returned to the general file of bills.

Mr. Boyd, from the committee on enrolled bills, reported as correctly enrolled,

No. 57, (S.) a bill in relation to counties and county officers;

No. 87, (S.) a bill regulating ferries;

No. 95, (S.) a bill to provide for the collection of demands against boats and vessels;

And,

No. 74, (A.) a bill to consolidate and amend an act entitled "an act to incorporate Carroll College, approved January 31, 1846, and an act amendatory thereto, approved January 25, 1847."

Mr. Horn gave the following notice:

I give notice, that on to-morrow, or some future day, I shall ask leave to introduce the following bills;

A bill to vacate the office of Consul to Hamburgh;

A bill to pay to the several persons the several sums therein named;

A bill to prohibit the introduction of certain resolutions in the Legislature;

A bill to punish trespass in the Fourth Lake, near Madison;

A bill limiting the number of Suckers who may make application to enter Sauk creek at Port Washington, and for other purposes;

A bill confining the rules of the gag laws, and allowing the application of the same in certain cases.

On motion of Mr. Botkin,

Senate adjourned until 10 o'clock to-morrow morning.

THURSDAY, March 8, 1849.

Prayer by the Rev. Mr. Lord.

On motion of Mr. Sprague,

The reading of the Journal of yesterday was dispensed with.

Mr. Smith offered the following resolution:

Resolved, That the committee on the Judiciary be and are hereby instructed to bring in a bill to provide for establishing courts of conciliation, in accordance with section 16 of article 7 of the constitution;

Which was adopted.

The consideration of the following resolution,

Resolved, by the Senate and Assembly, That the legislature will adjourn on the 25th day of March, instant,

Together with the pending amendments,

Was resumed;

And the question being on the amendment to the amendment, it was modified to read

"Or sooner if we get through with the revision and compilation of the laws,"

And accepted as part of the amendment;

And the amendment was agreed to.

And the question being on the resolution as amended;

Resolved, by the Senate and Assembly, That the legislature will adjourn on the first Monday of April next, or sooner if we get through with the revision and compilation of the laws,

It was adopted.

A message from the Assembly, by their chief clerk:

Mr. President: —

The Assembly have passed

No. 98, (A.) a bill in relation to the law of roads and the regulation of public carriages;

In which the concurrence of Senate is requested.

Mr. Smith, on leave, presented the remonstrance of Francis Heubschmann and others, against certain provisions of a bill to amend the Milwaukee city charter;

Which was laid on the table.

Mr. Kinney, on leave, introduced bill

No. 106. (S.) a bill to provide for the publication of the revised statutes of this State;

Which was read a first and second times, and referred to the committee on public printing.

Mr. Fisher from the committee on engrossed bills, reported as correctly engrossed, bill

No. 60, (S.) a bill to organize county courts.

Mr. Boyd from the select committee, to whom had been referred, bill

No. 76, (A.) a bill in relation to the assessment and collection of taxes,

Reported said bill back with amendments.

And said bill No. 76, [A.]

Was read a second time.

Mr. Fisher from the committee on roads and bridges, to whom had been referred bill

No. 55, (A.) a bill to declare certain roads in the town of Emmett to be lawful highways,

Reported said bill back without amendment.

On motion of Mr. Cothren, bill

No. 20, (S.) a bill to establish a State road through a part of Iowa, Richland and Sauk counties,

Was taken up and considered;

And,

On motion of Mr. Cothren,

All rules were suspended in relation to said bill, and it was ordered to its third reading now.

Mr. Merrell offered the following amendment:

Add to section 2,

"Provided that Sauk county shall not be obliged to pay any part of the expense of viewing, surveying, or opening said road;

Which was agreed to.

And said bill was read a third time and passed.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Botkin, Boyd, Chase, Cothren, Dennis, Fisher, Gardner, Kinney, Merrell, Murphy, Norton, Smith, and Sprague —13.

None in the negative.

The title of the bill was agreed to.

Mr. Norton offered the following resolution:

Resolved, by the Senate and Assembly, That the Secretary of State be and hereby is directed to notify the Attorney General of the names and amounts of delinquency of the several counties of this State, in pursuance of an act to provide for levying and collecting State revenue, approved August 1, 1848. and the Attorney General is hereby directed to commence, forthwith, suits against the delinquent counties, for the several sums due from them to the State.

Which was adopted.

The messages from the Assembly were taken up, and the following bills

No. 82, (A.) a bill to divide the town of Cottage Grove, in Dane county, into two separate towns;

No. 98, (A.) a bill in relation to the law of roads, and the regulation of public carriages;

No. 110, [A.] a bill to authorize the construction of a wharf on the Milwaukee river;

No. 129, [A.] a bill to amend an act entitled "an act to establish the time of holding Circuit Courts," approved August 19, 1848;

And,

No. 135, [A.] a bill to amend an act to provide for levying a State revenue, approved August 1, 1848;

Were severally read a first and second times.

No. 60, [S.] a bill to organize county courts;

Was read a third time, passed, and the title agreed to.

On motion of Mr. Dennis,

All rules were suspended in relation to bills No. 55, [A.] No. 135, [A.] and No. 110, [A.]

And they were severally ordered to a third reading now;

And

No. 55, [A.] a bill to declare certain roads in the town of Emmett to be lawful highways,

Was read a third time, passed, and the title agreed to.

No. 135, [A.] a bill to amend an act to provide for levying a State revenue, approved August 1, 1848,

Being on its third reading,

Mr. Norton asked the unanimous consent of Senate to amend said bill by adding the following new section:

Section 2nd. This act shall not be so construed as to prevent the Treasurer of this State from receiving evidences of State indebtedness, which may be in the hands of the county Treasurers, on the date of the passage of this act.

Which was agreed to.

And said bill was read a third time and passed.

And the ayes and noes having been called.

Those who voted in the affirmative, were

Messrs. Botkin, Boyd, Cothren, Dennis, Fisher, Gardner, Kinney, Merrell, Murphy, Norton, Smith and Sprague—12.

Mr. Chase voted in the negative.

The title being under consideration,

Mr. Norton moved to amend the title by striking out "a" before 'State,' and inserting "and collecting,"

Which was agreed to.

And the title as amended was agreed to.

No. 110 (A.) a bill to authorize the construction of a wharf on the Milwaukee river,

Being on its third reading,

A call of the house was ordered;

And the roll having been called,

Messrs. Cothren, Dennis, Sholes and Williams, were reported absent.

On motion of Mr. Chase, Mr. Dennis was excused.

Mr. Cothren was excused, being a member of the compiling committee.

Further proceedings in the call were suspended, and No. 110, (A.)

Was read a third time and passed.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Botkin, Boyd, Chase, Fisher, Gardner, Kinney, Merrell Murphy, Sholes, Smith and Sprague—11.

Mr. Norton voted in the negative.

The title of the bill was agreed to.

Mr. Boyd from the committee on enrolled bills reported as follows:

The committee on enrolled bills report, that they did on yesterday present to his excellency the Governor for his approval;

"An act to extend the boundaries of Winnebago county;"

"An act to authorize the construction of a dam across Rock river;"

"An act in relation to the boundaries of the counties of Columbia, Adams, Sauk, Chippewa, La Pointe and St. Croix.

On motion of Mr. Smith,

Senate resolved itself into a committee of the whole on bill

No. 76, (A.) a bill in relation to the assessment and collection of taxes;

Mr. Norton in the chair.

After some time spent therein, the committee rose, and by their chairman reported progress,

And ask leave to sit again;

Which was granted.

On motion of Mr. Gardner,

Senate adjourned until 3 o'clock this afternoon.

SAME DAY 3 O'CLOCK, P. M.

The President announced the appointment of Mr. Norton as a member of the committee on the first resolution, and Mr. Gardner as a member of the committee on the second resolution, on

'Joint resolutions for appointing committees on enrolled bills.'

On motion of Mr. Chase, bill

No. 103, (S.) a bill relating to set-offs, amendments, the action of ejectment, and the time of commencing actions,

Was taken from the table,

And read first and second times.

On motion of Mr. Gardner,

Rules were suspended in relation to said bill No. 103, (S.) and

Senate resolved itself into a committee of the whole on bill No. 103, (S.)

Mr. Chase in the chair.

After some time spent therein the committee rose and by their chairman reported said bill No. 103, (S.)

With amendments.

And the question being on concurring in the amendments of the committtee of the whole

They were concurred in.

On motion of Mr. Kinney,

Rules were suspended in relation to said bill No. 103, (S.) and it was ordered to a third reading now;

And said bill

No. 103, (S.) was read a third time, passed, and the title agreed to.

Under rule,

The Senate again resolved itself into a committee of the whole on bill

No. 76, (A.) a bill in relation to the assessment and collection of taxes;

Mr. Sholes in the chair.

After some time spent therein the committee rose and by their chairman reported,

No quorum present.

After some time the President announced a quorum present, and

The chairman of the committee of the whole reported progress on bill

No. 76, (A.)

And asked leave to sit again.

Which was granted.

Mr. Norton from the committee on legislative expenditures to which had been referred the account of Daniel Noble Johnson against the State made the following

REPORT:

The committee on Legislative Expenditures to whom was referred the account of Daniel Noble Johnson, Chief Clerk of the last legislative Assembly, claiming two hundred dollars for preparing for the press, indexing and superintending the printing of the Journal of that session, have had the same under consideration, and instructed me to report the same back to the Senate with a recommendation that it be not allowed.

Your committee find by a reference to the acts of the late session, that an appropriation was made to said Johnson for said work, and they are of opinion that each session is the proper and only competent authority to audit and allow the accounts of its own officers. Your committee are of opinion that to allow this account would be setting a bad precedent, and establishing a bad policy to be hereafter followed, for clerks and officers of one session to apply to the next for a compensation or additional compensation for services rendered. Your committee of are opinion further, that the said Johnson virtually entered into a contract with the legislature of which he was clerk, to do the business of that office for such compensation as that session should allow him, and that he could only be justified in applying to this session in case of accident or omission no appropriation had been made for his services, which in this instance is not the case. Your committee find accompanying said account a resolution passed by the Assembly of which said Johnson was clerk ordering him to do the work for which the said account is charged. But they also find an appropriation for the said work, and although the claimant alleges that the amount was not sufficient, yet your committee are of the opinion that the whole amount appropriated to the said Johnson at that session was taken into consideration at the time, and made, in the opinion of that session to correspond with the amount of service required.

O. W. NORTON, Chairman.

Which report was received and the committee discharged from further consideration of the subject.

On motion of Mr. Merrell,

Senate adjourned until 10 o'clock to-morrow morning.

FRIDAY, MARCH 9, 1849.

Prayer by the Rev. Mr. Read.

On motion of Mr. Cothren,

The reading of the journal of yesterday was dispensed with.

Mr. Cothren, from the committee on compilation, reported bill

No. 107, [S.] a bill in relation to testimony and depositions;

Which was read a first and second times.

Under rule,

The Senate resolved itself into committee of the whole on bill

No. 76, [A.] a bill in relation to the assessment and collection of taxes;

Mr. Sholes in the chair.

After some time spent therein, the committee rose, and by their chairman reported said bill to Senate,

With amendments;

And the question being on concurring in the amendments of the committee of the whole to said bill No. 76, [A.],

They were concurred in.

Mr. Merrell offered further to amend as follows:

Insert after the word "person," in 17th section, 10th line, the words, "after deducting just debts;"

Which was not agreed to;

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Gardner, Merrell and Sholes—3.

Those who voted in the negative, were

Messrs. Botkin, Boyd, Chase, Fisher, Kinney, Murphy, Norton and Sprague—8.

Mr. Gardner offered to further amend as follows:

Amend section 112. Strike out all after the word "sale," in the third line of the printed bill;

Which was not agreed to;

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Chase, Gardner and Sholes—3.

Those who voted in the negative, were

Messrs. Botkin, Boyd, Fisher, Kinney, Merrell, Murphy, Norton and Sprague—8.

On motion of Mr. Boyd,

All rules were suspended in relation to said bill No. 76, [A.],

And it was ordered to be read a third time now;

And said bill

No. 76, [A.] was read a third time and passed;

And the ayes and noes being called for,

Those who voted in the affirmative, were

Messrs. Botkin, Boyd, Chase, Cothren, Fisher, Gardner, Kinney, Murphy, Norton, Sholes and Sprague—11.

Mr. Merrell voted in the negative—1.

The title of the bill was agreed to.

A message from the Assembly, by their chief clerk:

Mr. President: —

The Assembly have concurred in the amendments of the Senate to

No. 64, [A.] a bill to incorporate the Spring Valley Academical Association;

And have non-concurred in the amendments of the Senate to

No. 135, [A.] a bill to amend an act to provide for levying a State revenue, approved August 1, 1848.

The Assembly have concurred in the passage of

No. 7, [S.] joint resolutions relative to a proposed amendment of the constitution of the United States, concerning the election of Senators in Congress;

No. 76, [S.] a bill to amend an act entitled "an act to incorporate the Merchants' Mutual Insurance Company of Milwaukee";

No. 89, [S.] a bill prescribing certain duties to be performed by the clerks of counties, under the conty commissioner's system of government;

No. 96, [S.] a bill for an act to authorize the board of supervisors of Dane county to borrow money to build a court house, and purchase a site for the same;

Without amendment.

The Assembly have also passed,

No. 77, [A.] a bill to incorporate the Salem Cemetery Society;

No. 93, [A.] a bill to authorize the electors of Lafayette county to vote on the removal of the county seat;

No. 96, [A.] a bill for an act to legalize the proceedings of a school district number two, in the town of Madison, in Dane county, and to raise an additional tax to build a school house;

No. 97, [A.] a bill for an act to authorize the apportionment of school moneys to district number ten, in the town of Lima and Johnstown, in the county of Rock;

No. 95, [A.] a bill to amend the city charter of the city of Racine;

No. 99, [A.] an act to prevent obstructious to Black river;

No. 120, [A.] a bill to organize the town of Chili, in the county of Fond du Lac;

And,

No. 121, [A.] a bill to divide the town of Dane, in Dane county;

In which the concurrence of the Senate is requested.

The Assembly have concurred in the adoption of the following resolutions, without amendment, to wit:

Resolved, by the Senate and Assembly, that the Legislature will adjourn on the first Monday of April, or sooner, if we get through with the revision and compilation of the laws;

And,

Resolved, by the Senate and Assembly, that the Secretary of State be, and hereby is, directed to notify the Attorney General of the names and amounts of delinquency of the several counties of this State, in pursuance of an act to provide for levying and collecting State revenue, approved August 1, 1848; and the Attorney General is hereby directed to commence, forthwith, suits against delinquent counties, for the several sums due from them to the State.

And the said message having been taken up,

Said bills,

No. 77, [A.] No. 93, [A.] No. 95, [A.] No. 96, [A.] No. 97, [A.] No. 99, [A.] No. 120, [A.] and No. 121, [A.],

Were severally read a first and second times,

And bill

No. 77, [A.] was, on motion of Mr. Kinney, referred to the committee on incorporations.

No. 120, [A.] was, on motion of Mr. Chase, referred to the committee on town and county organization.

No. 121, [A.] was, on motion of Mr. Botkin, referred to the committee on town and county organization.

The non-concurrence of Assembly to amendments of Senate to bill

No. 135, [A.] a bill to amend an act to provide for levying a State revenue, approved August 1, 1848,

Being under consideration,

Mr. Chase moved that Senate insist on its amendments;

Which was agreed to;

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Botkin, Boyd, Chase, Fisher, Gardner, Kinney, Merrell, Murphy, Norton, Sholes and Sprague—11.

None in the negative.

On motion of Mr. Boyd, bill

No. 129, [A.] a bill to amend an act entitled "an act to establish the time of holding circuit courts, approved August 19, 1848,

Was taken up from the general file,

And,

On motion of Mr. Boyd,

All rules were suspended in relation to said bill No. 129,

And it was ordered to a third reading now;

And pending this question,

On motion of Mr. Gardner,

Senate adjourned till half-past 2 o'clock this afternoon.

SAME DAY, HALF-PAST TWO O'CLOCK P. M.

Mr. Chase presented the petition of A. Crandall and others, praying that the town plat of the village of Calumet be vacated;

Which was referred to the committee on town and county organization.

Mr. Botkin presented the account of J. R. Brigham against the State, for costs in criminal cases;

Which was referred to the committee on claims.

Mr. Boyd presented the petition of Alexander S. Brown and thirty-eight others, asking for incorporation of the Walworth County Academy, together with an accompanying bill,

No. 108, [S.] a bill to incorporate the Walworth County Academy;

Which were referred to the committee on incorporations.

Mr. Botkin presented the petition of Peter Holland and others, in relation to the organization of certain towns in Dane county;

Which was referred to the committee on town and county organization.

Mr. Sholes, from the committee on public printing, to whom was referred bill

No. 106 [S.] a bill to provide for the publication of the revised statutes of Wisconsin,

Reported said bill back, with amendments, and recommended its passage;

And said bill

No. 106, [S.] was read a second time.

The President laid before Senate the account of

Enos L. Brayman against the State;

Which was referred to the committee on claims.

On motion of Mr. Kinney,

Senate resolved itself into a committee of the whole on the general file of bills;

Mr. Kinney in the chair.

After some time spent therein, the committee rose, and by their chairman reported,

No. 93, [A.] a bill to authorize the electors of Lafayette county to vote on the removal of the county seat;

No. 95, [A.] a bill to amend the city charter of the city of Racine;

No. 96, [A.] a bill for an act to legalize the proceedings of a school meeting held in school district number two, in the town of Medina, in Dane county, and to raise an additional tax to build a school house;

No. 97, [A.] a bill for an act to authorize the apportionment of school moneys to district number ten, in the towns of Lima and Johnstown, in the county of Rock;

No. 99, [A.] an act to prevent obstructions to Black river;

No. 82, [A.] a bill to divide the town of Cottage Grove, in Dane county, into two separate towns;

No. 102, (S.) a bill to incorporate the First Christian Society, in the town of Monroe, in Greene county;

And,

No. 100, (S.) a bill to aid in the construction of railroads and plank roads;

Without amendments.

Also,

No. 98, (A.) a bill in relation to the law of roads and the regulation of public carriages;

No. 36, (S.) a bill for an act entitled "an act to provide for the election of a State Librarian, and to define his powers and duties;

No. 104, (S.) a bill to appropriate the several sums therein [named];

And,

No. 106, (S.) a bill to provide for the publication of the revised statutes of this State;

With amendments.

And the amendments of the committee of the whole to said bills No. 106, (S.) and No. 36, (S.),

Were severally concurred in;

And said bills No. 102, (S.) No. 106, (S.) and No. 36, (S.), were severally ordered to be engrossed and read a third time.

The amendments of the committee of the whole to bill

No. 104, (S.) were concurred in;

And

Mr. Kinney moved to further amend said bill by adding,

"Section 11. To H. G, Bliss the sum of twenty-one dollars and three cents, for articles furnished in repairing the capitol and furniture of the State, as by account rendered up to July 27, 1848;"

Which was agreed to;

And,

On motion of Mr. Kinney, said bill

No. 104, (S.) was laid on the table.

On motion of Mr. Kinney, bill

No. 100, (S.) was laid on the table.

On motion of Mr. Botkin, bill

No. 82, (A.) a bill to divide the town of Cottage Grove, in Dane county, into to two separate towns, Was, together with the remonstrance of Charles Drakely and sixty others, against the division of said town, now presented by Mr. Botkin;

Referred to the committee on town and county organization.

The amendments of the committe of the whole to bill

No. 98, (A.) being considered,

The first amendment was non-concurred in;

The second amendment was concurred in;

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Botkin, Boyd, Kinney, Murphy, Norton and Sprague—6.

Those who voted in the negative, were

Messrs. Chase, Fisher, Gardner, Merrell and Sholes—5.

The third amendment was concurred in;

And said bill

No. 89, (A.) was ordered to be read a third time.

On motion of Mr. Murphy, bill

No. 93, (A.) was referred to a select committee, consisting of Messrs. Murphy, Fisher and Sholes.

No. 95, (A.) No. 96, (A.) No. 97, (A.) and No. 99, (A.),

Were severally ordered to be read a third time.

The pending question being on the passage of bill

No. 129, (A.) an act to amend an act entitled "an act to establish the times of holding circuit courts, approved August 19, 1848."

Mr. Boyd asked the unanimous consent of Senate to amend said bill as follows:

"Section 4. This act shall take effect from and after its passage and publication; and the Secretary of State is hereby directed to procure its immediate publication in some newspaper printed at Madison;"

Which was agreed to;

And said bill

No. 129, (A.) was read a third time, passed,

And the title agreed to.

Mr. Sholes presented the account of James J. Strang, for publishing constitution;

Which was referred to the committee on claims.

On motion of Mr. Chase,

The chief clerk was directed to request the Assembly to return bill

No. 46, (A.) a bill to appropriate to Daniel Noble Johnson the sum therein named,

For further action.

Mr. Gardner asked and obtained leave of absence for himself, until Tuesday next.

On motion of Mr. Chase,

Senate adjourned until 10 o'clock to-morrow morning.

SATURDAY, March 10, 1849.

Prayer by the Rev. Mr. Lord.

Mr. Norton moved a call of the house.

Messrs. Chase, Cothren, Dennis and Williams were reported absent.

On motion of Mr. Merrell,

Mr. Williams was excused.

Mr. Dennis was excused.

Further proceedings in the call were suspended.

The reading of the journal of yesterday was dispensed with.

Mr. Botkin presented the petition of John McBride and others, for a state road therein named;

Which was referred to the committee on roads and bridges.

Mr. Cothren from the committee on the judiciary, reported as follows:

The judiciary committee, in reply to the resolution requiring them to bring in a bill providing for courts of conciliation, report:

That, the resolution coming at so late a period of the session, together with the importance of the subject, and the vast amount of business already before the individual members of the committee, render it almost impossible for them to comply with the requirement of the resolution.

They therefore respectfully ask to be excused from the performance of the labor imposed by the resolution.

M. M. COTHREN,
Chairman.

Which report was accepted, and the committee discharged.

Mr. Botkin, on leave, introduced bill

No. 109, (S.) a bill to pay Daniel Noble Johnson the sum therein named;

Which was read a first and second times.

Mr. Botkin, on leave, introduced bill

No. 110, (S.) a bill to amend an act entitled "an act to incorporate the village of Madison;

Which was read a first and second times.

Mr. Kinney, on leave, introduced bill

No. 111, (S.) a bill for an act additional to an act to amend an act to authorize the further sale of canal lands, and for other purposes, and the act amendatory thereto;

Which was read a first and second times.

Mr. Norton, on leave, introduced bill

No. 112, (S.) a bill relating to pleadings in certain cases;

Which was read a first and second times, and ordered printed.

Mr. Cothren, on leave, introduced bill

No. 113, (S.) a bill to authorize Alvah Culver to keep and maintain a ferry across the Wisconsin river;

Which was read a first and second times.

Mr. Norton, on leave, introduced bill

No. 114, (S.) a bill to appropriate to Atwood & Buck the sum therein named;

Which was read a first and second times,

And laid on the table.

Mr. Kinney, from the committee on town and county organization, reported bill

No. 115, (S.) a bill to change the name of the town of Juneau, in the county of Dodge;

Which was read a first and second times.

Mr. Kinney, on leave, introduced bill

No. 116, (S.) a bill to organize the several towns therein named;

Which was read a first and second times.

Mr. Kinney, on leave, introduced bill

No. 117, (S.) a bill to appropriate the several sums therein named;

Which was read a first and second times.

Mr. Kinney, on leave, introduced bill

No. 118, (S.) a bill to provide for the payment of the present session of the Legislature;

Which was read a first and second times.

Mr. Merrell, on leave, introduced bill

No. 119, (S.) a bill to locate a State Penitentiary, for the manufacture of iron at Fort Winnebago;

Which was read a first and second times.

Mr. Botkin, on leave, introduced bill

No. 120, (S.) a bill for an act to license pre-emption rights on school and university lands to certain persons;

Which was read a first and second times.

Mr. Botkin, on leave, introduced bill

No. 121, (S.) a bill for an act to declare the Fourth Lake, in Dane county, navigable;

Which read a first and second times.

Mr. Botkin, on leave, introduced bill

No. 122, (S.) a bill for an act to prevent certain animals from running at large;

Which was read a first and second times.

Mr. Botkin, on leave, introduced bill

No. 123, [S.] a bill for an act to prevent obstructions in Catfish river;

Which was read a first and second times.

Mr. Norton, on leave, introduced bill

No. 124, [S.] a bill to pay to Alden & Holt the sum therein named;

Which was read a first and second times.

Mr. Sholes, on leave, introduced bill

No. 125, [S.] a bill to appropriate a sum therein named;

Which was read a first and second times.

Mr. Kinney, from the committee on town and county organization, to whom the bills had been referred, reported back to Senate, bill

No. 120, [A.] a bill to organize the town of Chili, in the county of Fond du Lac;

Without amendment.

Also,

No. 120, [A.] a bill to divide the town of Dane, in Dane county, with an amendment;

And said bill

No. 120, [A.] was read a second time.

Mr. Fisher, from the committee on engrossed bills, reported as correctly engrossed,

No. 106, [S.] a bill to provide for the publication of the revised statutes of this State;

And,

No. 36, [S.] a bill to provide for the election of a Librarian, and to prescribe his powers and duties.

No. 106, [S.] was read a third time and passed;

And the ayes and noes having been called for,

Those who voted in the negative, were

Messrs. Botkin, Boyd, Chase, Cothren, Dennis, Fisher, Kinney, Merrell, Murphy, Norton, Sholes and Sprague—12.

None in the negative.

The title of the bill was agreed to.

The question being on bill

No. 36, [S.] being read a third time,

Mr. Botkin moved,

That the unanimous consent of the Senate be given to amend the said bill so as to allow the Librarian one hundred and fifty dollars, in place of two hundred dollars.

The chair decided the motion to be out of order.

Mr. Botkin appealed from the decision of the chair,

And the question being,

"Shall the decision of the chair stand as the judgment of the Senate?"—

It was determined in the affirmative;

And the ayes and noes being called for,

Those who voted in the affirmative, were

Messrs. Boyd, Chase, Cothren, Dennis, Fisher, Kinney, Merrell, Murphy, Norton, Sholes and Sprague—11.

Mr. Botkin voted in the negative.

Mr. Kinney moved to recommit the bill to the committee on the judiciary, with instructions to strike out "two hundred," and insert, "one hundred and fifty;"

Which was not agreed to;

And the ayes and noes being called for,

Those who voted in the affirmative, were

Messrs. Botkin, Boyd, Kinney, Merrell and Norton—5.

Those who voted in the negative, were

Messrs. Chase, Cothren, Fisher, Murphy, Sholes and Sprague—6.

Mr. Botkin asked unanimous consent of Senate to offer the amendment to said bill, to strike out "two hundred," and insert "one hundred and fifty;"

Which was granted;

And the question being on the amendment,

It was decided in the negative;

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Botkin, Fisher, Kinney, Merrell and Norton—5.

Those who voted in the negative, were

Messrs. Boyd, Chase, Cothren, Dennis, Murphy, Sholes and Sprague—7.

And said bill

No. 36, [S.] was read a third time and passed;

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Botkin, Boyd, Chase, Cothren, Dennis, Fisher, Kinney, Merrell, Murphy, Sholes and Sprague—11.

Mr. Norton voted in the negative—1.

The title of the bill was agreed to.

The following bills,

No. 95, [A.] a bill to amend the city charter of the city of Racine;

No. 97, [A.] a bill for an act to authorize the apportionment of school money to district number ten, in the towns of Lima and Johnstown, in the county of Rock;

No. 98, [A.] a bill in relation to the law of roads and the regulation of public carriages;

And,

No. 99, [A.] an act to prevent obstructions to Black river;

Were severally read a third time, passed,

And their titles severally agreed to.

On motion of Mr. Chase, bill

No. 29, [A.] a bill to cede jurisdiction to the United States over lands to be occupied as sites of light-houses within this State,

Was taken from the table and considered,

And

On motion of Mr. Chase,

All rules were suspended in relation to said bill No. 29,

And it was ordered to a third reading now;

And said bill

No. 29, [A.] was read a third time, passed,

And title agreed to.

Mr. Boyd from the committee on enrolled bills reported as follows:

The committee on enrolled bills would report

No. 7, (S.) Joint resolutions relative to a proposed amendment of the constitution of the United States concerning the election of Senators in Congress;

No. 96, (S.) a bill for an act to authorize the board of supervisors of Dane county to borrow money to build a court house and to purchase a site for the same;

No. 76, (S.) a bill to amend an act to incorporate the Merchants Mutual Insurance Company of Milwaukee;

No. 89, (S.) a bill prescribing certain duties to be performed by the clerks of counties under the county commissioner system of Government;

No. 110, (A.) a bill to authorize the construction of a wharf on the Milwaukee river;

No. 58, (A.) a bill to restore the name and right of Prairieville Academy;

No. 55, (A.) a bill to declare certain roads in the town of Emmett to be lawful highways;

No. 5, (A.) Memorial to Congress for an appropriation of land to aid in the construction of a rail road from Milwaukee to the Mississippi;

No. 129, (A.) a bill to amend an act entitled "an act to establish the times of holding circuit courts, approved August 19, 1848.

On motion of Mr. Sholes,

Senate resolved itself into a committee of the whole on bill

No. 107, (S.) a bill in relation to testimony and depositions;

Mr. Merrell in the chair.

After some time spent therein the committee rose and by their chairman reported progress,

And asked leave to sit again;

Which was granted.

A message from the Assembly, by their chief clerk:

Mr. President: —

The Governor has informed the Assembly that Mr. Curtis Read, a member of the Board of Public Works, on yesterday, filed in the Executive Department, his resignation as a member of said Board, and that the duty of filling the vacancy devolves upon the legislature at its present session under the law creating the Board.

The Assembly have refused to recede from their non-concurrence in the amendments of the Senate to

No. 135, (A.) a bill to amend an act to provide for levying a State revenue, approved August 1st, 1848;

And have concurred in the amendments of the Senate to

No. 76, (A.) a bill in relation to the assessment and collection of taxes,

With an amendment to the 7th amendment of the Senate,

In which the concurrence of the Senate is requested.

The Assembly have concurred in the passage of

No. 74, (S.) an act to provide for the payment of the commissioners to revise the laws, and their clerk, the sums therein named,

Without amendment;

And have passed,

No. 107, (A.) a bill to declare part of a State road to be a lawful highway;

No 111, (A) a bill to organize the town of Vinland in Winnebago county;

No. 112, (A.) a bill to declare the Fond du Lac river a navigable stream;

No. 113, (A.) a bill to declare certain roads in the town of Lisbon to be lawful highways;

No. 114, (A.) a bill to establish a state road from Fond du Lac to Port Washington;

No. 119, (A.) a bill to change the name of the village of Harraszthy, in Sauk county;

No. 124, (A.) a bill to appoint commissioners to lay out a road, and for other purposes;

No. 125, (A.) a bill for an act to legalize the proceedings of a school meeting held in school district No. one in the town of Waterloo, Jefferson county;

And,

No. 128, (A.) a bill to establish a state road from Neenah to Strong's landing;

In which the concurrence of the Senate is requested.

The Governor has informed the Assembly that he did on the 8th instant, approve, sign, and deposite in the office of the Secretary of State,

"An act to authorize the construction of a dam across Rock river;"

"An act to extend the boundaries of Winnebago county;"

And,

"An act in relation to the boundaries of the counties of Columbia, Adams, Sauk, Chippewa, La Pointe and St. Croix."

The Assembly have negatived, by striking out the enacting clause,

No. 5, (S.) a bill to provide for the protection of married women in the enjoyment of their property;

No. 64, (S.) an act to provide for the removal of the county seat of Washington county and for the permanent location thereof;

And,

No. 92, (S.) a bill to provide for the publication of the laws passed at the present session of the legislature;

And have passed

No. 143, (A.) a bill relating to real estate, wills executors and administrators;

No. 145, (A.) a bill concerning oaths;

No. 146, (A.) a bill relative to recording town plats;

No. 155, (A.) a bill to vacate part of the plat of the village of Muckwanego, in the county of Waukesha;

No. 158, (A.) an act to authorize school district No. 2, in the town of Muckwanego to renew a tax warrant;

And,

No. 130, (A.) a bill to amend an act entitled an act to incorporate the Lake Michigan and Mississippi Rail Road Company, approved February 4th, 1847;

In which the concurrence of the Senate is requested.

The Assembly have also concurred in the passage of

No. 103, (S.) a bill relating to set-offs, amendments, the action of ejectment, and the time of commencing actions,

Without amendment.

The Assembly have concurred in the amendments of the Senate to

No. 129, (A.) a bill to amend an act entitled 'an act to establish the time of holding circuit courts,' approved August 19, 1848.

According to request of the Senate I herewith return by direction of the Assembly to the Senate for their further action

No. 46, (A.) a bill to appropriate to Daniel Noble Johnson the sum therein named.

The Assembly have also passed

No. 116, [A.] a bill in relation to Homicide;

And,

No. 126, [A.] a bill concerning the nature of estates in lands, and of uses and trusts;

In which the concurrence of the Senate is requested.

The Assembly have indefinitely postponed

No. 38, [S.] a bill to establish the county seat of Lafayette county and for other purposes.

I am directed to present for your signature,

"An act prescribing certain duties to be performed by the clerks of counties under the county commissioner system of government;"

"An act to amend an act entitled 'an act to establish the time of holding circuit courts,' approved August 19, 1848;"

"An act to authorize the board of supervisors of Dane county to borrow money to build a court house and to purchase a site for the same;"

"An act to amend an act entitled "an act to incorporate the Merchants Mutual Insurance Company of Milwaukee;"

"An act to enable the city of Milwaukee to aid in the construction of a rail road from that city to the Mississippi river;"

"Joint resolutions relative to a proposed amendment of the constitution of the United States concerning the election of Senators in Congress;"

"An act to restore the name and rights of Prairieville Academy;"

"An act to authorize the construction of a wharf in the city of Milwaukee;"

"Memorial to Congress for an appropriation of land to aid in the construction of a rail road from Milwaukee to the Mississippi;"

And,

"An act to declare certain roads in the town of Emmett to be lawful highways."

Which have been signed by the Speaker of the Assembly.

The President laid before the Senate the following chapters from the commissioners on revision of laws:

"Of inquests of the dead;"

"Of the support of bastards;"

"Of Normal Schools;"

"Of the incorporation of companies to construct plank and and turnpike roads.

The messages of Assembly were taken up and considered, and

Mr. Chase moved that Senate adhere to its amendments to bill

No. 135, (A.) a bill to amend an act to provide for levying a State revenue, approved Aug. 1, 1848;

Which was not agreed to.

And the ayes and noes having been called,

Those who voted in the affirmative, were

Messrs. Chase and Murphy—2.

Those who voted in the negative, were

Messrs. Botkin, Boyd, Dennis, Fisher, Kinney, Merrell, Norton, Sholes and Sprague—9.

And on motion of Mr. Norton,

Messrs. Norton and Murphy were appointed a committee of conference on the disagreeing vote of the two houses on the amendments of Senate to bill No. 135, (A.)

The amendments of Assembly to the 7th amendment of Senate to bill

No. 76, (A.) a bill in relation to the assessment and collection of taxes,

Was considered and concurred in.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Botkin, Boyd, Chase, Dennis, Kinney, Merrell, Murphy, Norton, Sholes and Sprague—10.

Messrs. Cothren and Fisher voted in the negative—2.

The following bills

No. 107, A., No. 111, A., No. 112, A., No. 113, A., No. 114, A., No. 119, A., No. 124, A., No. 125, A., No. 128, A., No. 143, A., No. 145, A., No. 146, A., No. 155, A., No. 158, A., No. 130, A., No. 116, A., No. 126, A.,

Were severally read a first and second times.

On motion of Mr. Sprague,

Rules were suspended in relation to bills

No. 155, (A.) a bill to vacate part of the plat of the village of Muckwanego in the county of Waukesha;

And,

No. 158, (A.) an act to authorize school district No. 2, in the town of Muckwanego to renew a tax warrant;

And said bills were ordered to a third reading now;

And No. 155, [A.]

Was read a third time, passed, and title agreed to;

And No. 158, [A.]

Was read a third time, passed, and title agreed to.

On motion of Mr. Botkin,

Rules were suspended in relation to bill

No. 130, (A.) a bill to amend an act entitled 'an act to incorporate the Lake Michigan and Mississippi rail road company,' approved Feb. 4, 1847;

And said bill was ordered to its third reading now;

And said bill No. 130, [A.]

Was read a third time, passed, and the title agreed to.

Mr. Boyd from the committee on enrolled bills, reported as follows:

The committee on enrolled bills would report that they have this day presented to the Governor for his approval,

"An act prescribing certain duties to be performed by the clerks of counties under the county commissioner system of government;"

"Joint resolutions relative to a proposed amendment to the constitution of the United States concerning the election of Senators in Congress;"

"An act to authorize the board of supervisors of Dane county to borrow money to build a court house, and to purchase a site for the same;"

"An act to amend an act entitled 'an act to incorporate the Merchants Mutual Insurance Company of Milwaukee;"

"An act to enable the city of Milwaukee to aid in the construction of a rail road from that city to the Mississippi river;"

"An act to authorize the construction of a wharf in the city of Milwaukee;"

"An act to declare certain roads in the town of Emmett to be lawful highways;"

"An act to amend an act entitled an act to establish the times of holding circuit courts, approved August 19th, 1848;"

"An act to restore the name and rights of Prairieville Academy;"

"Memorial to Congress for an appropriation of land to aid in the construction of a rail road from Milwaukee to the Mississippi."

On motion of Mr. Chase,

Senate adjourned until 10 o'clock on Monday morning.

MONDAY, March 12, 1849.

Prayer by the Rev. Mr. Penman.

The reading of the Journal of Saturday was dispensed with.

Mr. Fisher from the committee on engrossed bills, reported as correctly engrossed, bill

No. 102, (S.) a bill to incorporate the First Christian Society, in the town of Monroe, in Green county.

Mr. Kinney from the committee on town and county organization to whom had been referred bill

No. 50, (A.) a bill to repeal an act to change the boundaries of the towns Paris and Racine county,

Together with accompanying documents,

Reported said bill back to the Senate, and recommend that all be stricken out after the enacting clause.

Which report was considered and adopted.

Mr. Kinney from the committee on town and county organization to whom had been referred bill

No. 84, [A.] a bill to change the name of the town of Butte des Morts in the county of Winnebago,

Reported said bill back without amendment, and recommend its passage.

Mr. Kinney from the committee on town and county organization to which had been referred bill

No. 48, [A.] a bill to repeal an act to change the boundaries of the towns of Utica and Rushford in the county of Winnebago,

Reported the same back without amendment and recommend its passage.

Mr. Kinney from the committee on town and county organization, to which had been referred the petition of A. Crandall & others in relation to the town plat of the village of Calumet, reported the same back without action, and ask to be discharged from the further consideration of the subject.

Which report was adopted.

A message from the Governor:

To the Senate—

Acts of the following titles were, on the 10th instant, approved, signed, and deposited in the office of the Secretary of State, to wit:

"An act to amend an act entitled "an act to incorporate the Merchants Mutual Insurance Company of Milwaukee;"

"An act prescribing certain duties to be performed by the clerks of counties under the county commissioner system of government;"

"Joint resolutions relative to a proposed amendment of the constitution of the United States concerning the election of Senators in Congress;"

And,

"Memorial to Congress for an appropriation of land to aid in the construction of a rail road from Milwaukee to the Mississippi river."

NELSON DEWEY.

Executive Department,
March 12, 1849.

A message from the Assembly by their chief clerk:

Mr. President—

The Assembly have concurred in the passage of

No. 67, (S.) a bill to provide for a final settlement with the Milwaukee and Rock river canal company,

Without amendment;

And,

No. 77, (S.) a bill to incorporate the Methodist Episcopal church,

With amendments;

In which the concurrence of Senate is requested.

Messrs. Barber and Wells have been appointed a committee of conference on the part of the Assembly to act in conjunction with the committee appointed on the part of the Senate on the disagreeing vote of the Senate and Assembly on

No. 135, [A.] a bill to amend an act to provide for levying a State revenue, approved August 1, 1848.

And said message having been taken up and considered, the amendments of Assembly to

No. 77, [S.] a bill to incorporate the Methodist Episcopal church,

Were severally concurred in.

No. 102, [S.] a bill to incorporate the first Christian Society in the town of Monroe, in Green county,

Was read a third time, passed, and the title agreed to.

The Senate resolved itself into a committee of the whole on bill

No. 107, [S.] a bill in relation to testimony and depositions; Mr. Chase in the chair.

After some time spent therein, the committee rose, and by their chairman reported said bill No. 107, [S.] back to the Senate,

Without amendment;

And said bill No. 107, [S.],

Was ordered to be engrossed and read a third time.

Mr. Cothren from the committee on compilation reported

No. 126, [S.] a bill relating to proceedings against debtors by attachments;

No. 127, [S.] bill relating to improvements on real estate;

No. 128, [S.] bill for the relief of insolvent debtors;

And said bills

No. 126, S., No. 127, S., and No. 228, S.,

Were severally read a first and second times;

And said bill No. 126, S.,

Was ordered to be printed.

No. 46, [A.] a bill to appropriate to Daniel Noble Johnson the sum therein named,

Was read a third time and passed.

And the ayes and noes having been called,

Those who voted in the affirmative, were

Messrs. Botkin, Cothren, Goodell, Kinney, Murphy, Sholes and Sprague—7.

Those who voted in the negative, were

Messrs. Boyd, Chase, Fisher, Merrell and Norton—5.

The title of the bill was agreed to.

No. 96, [A.] a bill for an act o legalize the proceedings of a school meeting held in school district No. 2, in the town of Medina in Dane county and toraise an additional taxto build a school house, was read a third time and passed.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Botkin, Boyd, Chase, Fisher, Goodell, Kinney, Merrell, Murphy, Norton, Sholes and Sprague—11.

Mr. Cothren voted in the negative.

The title of the bill was agreed to.

The Senate resolved itself into a committee of the whole on bills

No. 127, [S.] bill relating to improvements on real estate;

And,

No. 128, [S.] bill for the relief of insolvent debtors;

Mr. Merrell in the chair.

After some time spent therein the committee rose and by their chairman reported said bills No. 127, S., and No. 128, S., back to the Senate with amendments to each.

The amendments of the committee of the whole to said bill No. 127, S., and to said bill No. 128, S., were severally considered and concurred in; and said bills No. 127, S., and No. 128, S., were severally ordered to be engrossed and read a third time.

Mr. Boyd from the committee on enrolled bills reported as correctly enrolled,

No. 67, (S.) a bill to provide for a final settlement with the Milwaukee and Rock river canal company;

No. 74, (S.) an act to provide for the payment of the commissioners to revise the laws, and their clerk the sum therein named.

On motion of Mr. Kinney,

Senate took a recess until half past 2 o'clock this afternoon.

SAME DAY, HALF-PAST TWO O'CLOCK, P. M.

Mr. Fisher, from the committee on engrossed bills, reported as correctly engrossed, bills

No. 127, (S.) bill relating to improvements on real estate;

No. 128, (S.) bill for relief of insolvent debtors.

On motion of Mr. Sholes,

Senate resolved itself into a committee of the whole on the general file of bills;

Mr. Kinney in the chair.

After some time spent therein the committee rose and by their chairman reported the following bills:

No. 48, (A.) a bill to repeal an act to change the boundaries of the towns of Utica and Rushford in the county of Winnebago;

No. 84, (A.) a bill to change the name of the town of Butte des Morts in the county of Winnebago;

No. 107, (A.) a bill to declare part of a State road to be a lawful highway;

No. 112, (A.) a bill to declare the Fond du Lac river a navigable stream;

No. 113, (A.) a bill to declare certain roads in the town of Lisbon to be lawful highways;

No. 114, (A.) a bill to establish a state road from Fond du Lac to Port Washington;

No. 126, [A.] a bill concerning the nature of estates in lands, and of uses and trusts;

No. 143, (A.) a bill relating to real estate, wills executors and administrators;

No. 146, (A.) a bill relative to recording town plats;

No. 119, (A.) a bill to change the name of the village of Harraszthy, in Sauk county;

No. 120, (A.) a bill to organize the town of Chili in the county of Fond du Lac;

No. 124, (A.) a bill to appoint commissioners to lay out a road, and for other purposes;

No. 125, (A.) a bill for an act to legalize the proceedings of a school meeting held in school district No. one in the town of Watertown, Jefferson county;

And;

No. 128, (A.) a bill to establish a State road from Neenah to Strongs' landing;

Without amendment;

And bills

No 111, (A) a bill to organize the town of Vineland in Winnebago county;

No. 116, [A.] a bill in relation to Homicide;

No. 121, (A.) a bill to divide the town of Dane in Dane county;

And,

No. 145, (A.) a bill concerning oaths;

With amendments to each;

And reported progress on the general file of bills,

And ask leave to sit again;

Which was granted.

And the amendments of the committee of the whole to bill No. 111, (A.) being considered,

They were non-concurred in;

And said bill No. 111, A.,

Was ordered to be read a third time.

The amendments of the committee of the whole to bill No. 116, (A.) being under consideration,

They were non-concurred in.

Mr. Chase moved to further amend said bill as follows:

Strike out the words "with death" and insert "by imprisonment in the State Penitentiary in the solitary cells during his natural life;"

Which was not agreed to.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Botkin, Chase, Goodell and Sholes—4.

Those who voted in the negative, were

Messrs. Boyd, Fisher, Kinney, Merrell, Murphy, Norton and Sprague—7.

Mr. Chase moved to further amend said bill as follows:

Amend section 22nd in 8th line, strike out "more" and insert "less" in lieu thereof—and strike out all after "years" where it first occurs;

Which was not agreed to.

And said bill No. 116, (A.)

Was ordered to a third reading.

The amendments of the committee of the whole to bill No. 121, (A.)

Were considered and concurred in;

And said bill No. 121, (A.)

Was ordered to be read a third time.

The amendments of committee of the whole to bill No. 145, (A.) were considered and concurred in;

And said bill No. 145, (A.)

Was ordered to be read a third time.

On motion of Mr. Kinney,

All rules were suspended in relation to the following bills:

No. 48, A., No. 84, A., No. 112, A., No. 113, A., No. 114, A., No. 119, A., No. 120, A., No. 125, A., No. 126, A., No. 128, A., No. 143, A., No. 145, A., and No. 146, A.,

And said bills

Were severally read a third time, passed, and their titles severally agreed to.

On motion of Mr. Merrell,

Bill No. 124, (A.)

Was referred to the committee on roads and bridges.

On motion of Mr. Merrell,

Bill No. 107, (A.)

Was laid on the table.

Mr. Fisher from the committee on engrossed bills reported as correctly engrossed, bill

No. 107, (S.) a bill in relation to testimony and depositions.

On motion of Mr. Kinney, bill

No. 26, (S.) a bill relating to Justices of the Peace and their jurisdiction;

Was taken from the table and returned to the general file.

Mr. Kinney from the committee on town and county organization, reported back without amendment, bill

No. 82, (A.) a bill to divide the town of Cottage Grove, in Dane county into two separate towns,

And recommend its passage.

Mr. Norton, on leave, presented the petition of George Carter and 19 others, praying that certain acts of the commissioners of highways of Johnstown, in Rock county be legalized;

Which was referred to the committee on town and county organization.

A message from the Assembly, by their chief clerk:

Mr. President: —

I am directed to present for your signature,

"An act to amend an act entitled 'an act to incorporate the city of Milwaukee,' and acts amendatory thereto;"

"An act to amend an act to incorporate the city of Racine;"

"An act to vacate part of the plat of the village of Mequanigo, in tne county of Waukesha;"

"An act to amend an act entitled 'an act to incorporate the Lake Michigan & Mississippi Railroad Company, approved Februry 4, 1247;'"

"An act to authorize school district number two, in the town of Mequanigo to renew a tax warrant;"

"An act to authorize the apportionment of school moneys ot district number ten, in the towns of Lima and Johnstown, in Rock county;"

"An act to provide for a final settlement with the Milwaukee and Rock River Canal Company;"

And,

"An act to provide for the payment of the commissioners to revise the laws, and their clerk, the sums therein named;"

Which have been signed by the Speaker of the Assembly.

The Assembly have non-concurred in the amendments of the Senate, to

No. 98, [A.] a bill in relation to the law of roads and the regulation of public carriages.

The Assembly have concurred in the passage of

No. 72, [S.] a bill to appropriate to William R. Smith a sum therein named;

And,

No. 97, [S.] a bill to change the name of the village of Millford, in Green county;

Without amendments.

Mr. Boyd, from the committee on enrolled bills, made the following report:

The committee on enrolled bills would report,

No. 97, [A.] a bill for an act to authorize the apportionment of school moneys to district number ten, in the towns of Lima and Johnstown, in the county of Rock;

No. 158, [A.] a bill to authorize school district number two, in the town of Muckwonego, to renew a tax warrant;

No. 95, [A.] a bill to amend the city charter of the city of Racine;

No. 130, [A.] a bill to amend an act entitled "an act to incorporate the Lake Michigan & Mississippi Railroad Company, approved February 4, 1847;"

No. 155, [A.] a bill to vacate a part of the plat of the village of Muckwanego, in the county of Waukesha;

No. 25, [S.] a bill to amend an act entitled "an act to incorporate the city of Milwaukee," and acts amendatory thereto;

As correctly enrolled.

Mr. Boyd, from the committee on enrolled bills, made the following report:

The committee on enrolled bills would report that they have this day presented to the Governor for his approval,

"An act to authorize school district number two, in the town of Muckwonego, to renew a tax warrant;"

"An act to amend an act to incorporate the city of Racine;"

"An act to amend an act entitled 'an act to incorporate the Lake Michigan & Mississippi Railroad Company, approved February 4, 1847;'"

"An act to vacate part of the plat of the village of Muckwanego, in the county of Waukesha;"

"An act to authorize the apportionment of school moneys to district number ten, in the towns of Lima and Johnstown, in Rock county;"

"An act to provide for a final settlement with the Milwaukee and Rock River Canal Company;"

"An act to provide for the payment of the commissioners to revise laws, and their clerk, the sums therein named;"

"An act to amend an act entitled 'an act to incorporate the city of Milwaukee,' and acts amendatory thereto."

On motion of Mr. Kinney,

Senate resolved itself into a committee of the whole on bill

No. 111, [S.] a bill for an act additional to an act to amend an act to authorize the further sale of canal lands, and for other purposes, and the act amendatory thereto;

Mr. Fisher in the chair.

After some time spent therein, the committee rose, and by their chairman reported said bill

No. 111, [S.] without amendments;

And said bill

No. 111, [S.] was ordered to be engrossed and read a third time.

Mr. Boyd asked leave of absence for Mr. Dennis:

Which was granted.

A message from the Governor:

To the Senate—

I have this day approved, signed and deposited in the office of the Secretary of State, acts of the following titles, to wit:

"An act to amend an act entitled 'an act to incorporate the city of Milwaukee,' and acts amendatory thereto;"

"An act to provide for the payment of the commissioners to revise the laws, and their clerk, the sums therein named."

NELSON DEWEY.

Executive Department,
March 12, 1849.

On motion of Mr. Boyd,

Senate adjourned till 10 o'clock to-morrow morning.

TUESDAY, March 13, 1849.

Prayer by the Rev. Mr. Lord.

On motion of Mr. Fisher,

The reading of the journal of yesterday was dispensed with.

Mr. Kinney offered the following resolution:

Resolved, by the Senate and Assembly, that the State Printer be requested to furnish the Legislature with his account against the State for printing done at the present session, up to the present time; and that said account be accompanied with printed copies of the work for which such charge is made.

Resolved, that the chief clerk of the Senate be directed to forward a copy of the above resolution to the State Printer.

Which was considered and adopted.

Mr. Kinney, from the committee on town and county organization, to which had been referred the petition of George Carter and others, relative to acts of the commissioners of highways of Johnstown, in Rock county, Reported back said petition, and recommended that it lie on the table;

Which report was received and adopted.

The message of Assembly was taken up;

And the non-concurrence of Assembly to the amendments of Senate, to

No. 98, [A,] a bill in relation the law of roads and the regulation of public carriages,

Being under consideration, and the question being,

"Will Senate recede from the first amendment?"—

It was determined in the negative;

And the ayes and noes being called for,

Those who voted in the affirmative, were

Messrs. Boyd, Chase, Fisher, Goodell, Merrell and Sholes—6.

Those who voted in the negative, were

Messrs. Botkin, Kinney, Murphy, Norton, Sprague and Williams—6.

The President voted in the negative.

And the question being,

"Will Senate recede from its second amendment?"—

It was determined in the negative; And,

On motion of Mr. Kinney,

The President appointed Messrs. Kinney and Murphy a committee of conference on part of Senate, to act with a similar committee on the part of the Assembly on the disagreeing vote of the two houses on said bill No. 98, [S.]

The following bills, to wit,

No. 82, [A.] a bill to divide the town of Cottage Grove, in Dane county, into two separate towns;

No. 107, (S) a bill in relation to testimony and depositions:

No. 111, [S.] a bill to organize the town of Vineland, in Winnebago county;

No. 121, [A.] a bill to divide the town of Dane, in Dane county;

No. 127, [S.] bill relating to improvements on real estate;

Were severally read a third time, passed,

And their titles severally agreed to.

No. 116, [A.] a bill in relation to homicide,

Was read a third time and passed;

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Boyd, Cothren, Fisher, Goodell, Kinney, Merrell, Murphy, Sprague and Williams—9.

Those who voted in the negative, were

Messrs. Botkin, Chase and Sholes—3.

The title of the bill was agreed to.

No. 128, [S.] bill for the relief of insolvent debtors,

Was read a third time and passed;

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Botkin, Boyd, Cothren, Fisher, Goodell, Kinney, Merrell, Murphy, Sholes, Sprague and Williams—11.

Mr. Chase voted in the negative.

Mr. Cothren, from the committee on the judiciary, to which had been referred the petition of H. Eugene Eastman, contesting the seat of Lemuel Goodell, as a member of Senate from the first senatorial district, made the following report:

The judiciary committee, in the matter of the petition of H. E. Eastman to declare Lemuel Goodell (a member of this body) disqualified to hold his seat, and to allow the petitioner to occupy the seat of the said Goodell, respectfully report:

That, on the second Tuesday of November, A. D. 1848, at the election for State officers, the following votes were cast in the first senatorial district for the office of State Senator, to wit:

For Lemuel Goodell, ...	964
For H. E. Eastman, ...	690
For David Giddings, ...	141

That the above were all the votes cast in said district. That at the time the said Lemuel Goodell so received the above number of votes, he was a duly commissioned and acting deputy postmaster under the Post office Department of the United States. That he held his said office of deputy postmaster in Calumet county in this State. That after his election, and before presenting his credentials to this honorable body and claiming his seat as a member, he resigned the office of depnty postmaster, and received a proper and legal certificate of his election from the Secretary of State, and on the tenth day of January, A. D. 1849, was duly sworn and installed as a member of this body. That on the 13th day of January, 1849, H. E. Eastman presented his petition for a seat in this body, in place of the honorable Lemuel Goodell, which was referred to the committee on elections. That on a subsequent day the said petition was referred to the committee on the judiciary.

The judiciary committee are of the opinion,

1st. That the petitioner, H. E. Eastman, was not duly elected, and is not legally entitled to a seat in this body.

2d. That Lemuel Goodel was duly elected a member of this body, and is legally entitled to retain his seat on this floor. The committee therefore ask leave to present the following resolutions:

Resolved, that the honorable Lemuel Goodell is legally entitled to retain the seat which he now occupies as a member of this body.

Resolved, that the petition of H. E. Eastman be, and the same is hereby denied.

M. M. COTHREN,
W. CHASE.

Which report was received and the committee discharged from the further consideration of the subject.

And the question being on the adoption of the resolutions,

Mr. Williams moved to lay the same on the table;

Which was not agreed to;

And the ayes and noes having been called,

Those who voted in the affirmative, were

Messrs. Kinney and Williams—2.

Those who voted in the negative, were

Messrs. Botkin, Boyd, Chase, Cothren, Fisher, Merrell, Murphy, Sholes and Sprague—9.

And the question recurring on the adoption of the resolutions,

Mr. Botkin moved to postpone the same until Monday next;

Which was agreed to;

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Botkin, Chase, Cothren, Kinney, Merrell, Norton, Sholes, Sprague and Williams—9.

Those who voted in the negative, were

Messrs. Boyd, Fisher and Murphy—3.

Mr. Sholes, from the committee on public printing, to which had been referred

No. 98, [S.] a bill to provide for the translating and printing of certain laws in the German language,

Reported the said bill back with a substitute as an amendment;

And said bill No. 98, [S.] was read a second time.

Mr. Boyd, from the committee on enrolled bills, reported as correctly enrolled,

No. 32, [S.] a bill relating to common schools.

On motion of Mr. Norton,

Senate adjourned until 3 o'clock this afternoon.

SAME DAY 3 O'CLOCK, P. M.

Mr. Fisher, from the committee on engrossed bills, reported as correctly engrossed, bill

No. 111, (S.) a bill for an act additional to an act to amend an act entitled "an act to authorize the further sale of canal lands, and for other purposes, and [an] act amendatory thereto, approved March 11, 1848."

And said bill No. 111, (S.) was read a third time, passed,

And the title agreed to.

On motion of Mr. Sholes,

Senate resolved itself into a committee of the whole on the general file of bills;

Mr. Norton in the chair.

After some time spent therein, the committee rose, and by their chairman reported,

No. 26, (S.) a bill relating to justices of the peace and their jurisdiction;

No. 98, (S.) a bill to provide for the translating and printing of certain laws in the German language;

No. 105, (S.) a bill to repeal the laws for the collection of debts;

No. 109, (S.) a bill to pay Daniel Noble Johnson the sum therein named;

No. 110, (S.) a bill to amend an act entitled "an act to incorporate the village of Madison;

No. 113, (S.) a bill to authorize Alvah Culver to keep and maintain a ferry across the Wisconsin river;

And,

No. 115, (S.) a bill to change the name of the town of Juneau, in the county of Dodge;

Without amendments;

And reported progress on general file, and asked leave to sit again;

Which was granted.

And the report of the committee of the whole on said bills, being under consideration,

No. 98, (S.) was,

On motion of Mr. Sholes,

Laid on the table.

No. 105, (S.) was, on motion of Mr. Norton, laid on the table.

No. 115, (S.) was,

On motion of Mr. Kinney,

Laid on the table.

No. 26, (S.) was,

On motion of Mr. Sholes,

Laid on the table.

No. 113, (S.) was,

On motion of Mr. Norton,

Laid on the table.

No. 110, (S.) was ordered to be engrossed and read a third time.

And the question being on ordering bill

No. 109, (S.) to be engrossed and read a third time,

It was determined in the negative.

A message from the Assembly, by their chief clerk:

Mr. President: —

The Assembly have concurred in the amendment of the Senate, to

No. 50, (A.) a bill to repeal an act to change the boundaries of the towns of Paris and Bristol, in Racine county;

And have passed

No. 65, (A.) a bill to legalize the proceedings of the collector in Addison;

In which the concurrence of the Senate is requested.

The Assembly have concurred in the amendments of the Senate, to

No. 145, (A.) a bill concerning oaths;

And concurred in the adoption of the resolution relative to the account of the State Printer,

Without amendment.

Messrs. Wells and Lown have been appointed a committee of conference on the part of the Assembly, to act in conjunction with the committee appointed on the part of the Senate, on the disagreeing vote of the Senate and Assembly on

No. 98, (A.) a bill in relation to the law of roads and the regulation of public carriages;

And have concurred in the passage of

No. 20, (S.) a bill to establish a State road through a part of Iowa, Richland, and Sauk counties;

With an amendment.

Also,

No. 52, (S.) a bill supplementary to an act to incorparate the Milwaukee Mutual Fire Insurance Company, approved December 27, 1847, and an act to amend an act to incorporate the Mutual Fire Insurance Company, approved February 4, 1847;

With amendments;

In which the concurrence of Senate is requested.

I am directed to present for your signature,

"An act to incorporate the Spring Valley Academical Association;"

"An act to prevent obstructions to Black river;"

"An act to cede jurisdiction to the United States over lands to be occupied as sites of light-houses within this State;"

And,

"An act to legalize proceedings of a school meeting held in school district number two, in the town of Medina, Dane county, and to raise an additional tax to build a school house;"

Which have been signed by the Speaker of the Assembly.

The Governor has informed the Assembly that he did on yesterday approve, sign and deposite in the office of the Secretary of State,

"An act to authorize school district number two, in the town of Mukwanago, to renew a tax warrant;"

"An act to vacate a part of the village of Mukwanago, in the county of Waukesha;"

"An act to amend an act entitled 'an act to incorporate the Lake Michigan & Mississippi Railroad Company, approved February 5, 1847;'"

"An act to amend an act to incorporate the city of Racine;"

And,

"An act to authorize the apportionment of school moneys to district number ten, in the towns of Lima and Johnstown, in Rock county."

Mr. Boyd, from the committee on enrolled bills, reported as follows:

The committee on enrolled bills would report,

No. 29, (A.) a bill to cede jurisdiction to the United States over land to be occupied as sites of light-houses within this State;

No. 64, (A.) a bill to incorporate the Spring Valley Academical Association;

No. 96, (A.) a bill to legalize the proceedings of a school meeting held in school district number two, in the town of Medina, in Dane county, and to raise an additional tax to build a school house;

No. 99, (A.) a bill to prevent obstructions to Black river;

As correctly enrolled.

On motion of Mr. Murphy,

Senate adjourned until 10 o'clock to-morrow morning.

WEDNESDAY, March 14, 1849.

Prayer by the Rev. Mr. Penman.

The Journal of yesterday was read and corrected.

Mr. Boyd presented the petition of the members of the first Presbyterian religious society of Whitewater praying for the passage of a law to incorporate said society;

Which was laid on the table.

Mr. Botkin from the committee on Internal Improvements, reported as follows;

The committee on Internal Improvements, to whom was referred a bill to amend an act entitled an act regulating marriages, have had the same under consideration, and have instructed me to

REPORT:

That they are of the opinion that the subject is not only of the deepest interest to the community, but of vast importance to the perpetuity of our government, as well as of an interesting and delicate character, and believing that the reference to the committee on *Internal Improvemeut* was a most appropriate committee, both as to the legitimate *duties* of that committee as well as the members who compose it. And *feeling* a *dcep* interest in the subject deem it our imperative duty to render every facility to the encouragement of committing matrimony—respectfully and cordially recommend the passage of the bill with an amendment herewith reported.

A. BOTKIN,
Chairman.

And said bill

No. 28, (A.) a bill to amend an act entitled 'an act regulating marriages,'

Was read a second time.

Mr. Williams from the committee on Incorporations, to which said bills had been referred, reported back bills

No. 77, (A.) a bill to incorporate the Salem Cemetary Society;

No. 88, (A.) a bill to authorize the recording of the town plat of the town of Belmont in La Fayette county and for other purposes;

And,

No. 94, (A.) a bill to amend an act entitled 'an act to incorporate the Lawrence Institute of Wisconsin;

Without amendment.

Mr. Williams from the committee on Incorporations, to which had been referred the petition of Alexander S. Brown and others, together with an accompanying bill, No. 108, (S.) reported said bill

No. 108, (S.) a bill to incorporate the Walworth county Academy;

Which was read a first and second times.

Mr. Fisher from the committee on engrossed bills reported as correctly engrossed, bill

No. 110, (S.) a bill to amend an act entitled 'an act to incorporate the village of Madison.

Mr. Norton from the joint enrolling committee on bills of revisers and compiling committee, reported as correctly enrolled,

No. 104, (A. a bill concerning the writ of Habeas Corpus;

No. 105, (A.) a bill concerning fraudulent conveyances and contracts relative to lands.

A message from the Governor:

To the Senate—

"An act entitled an act to enable the city of Milwaukee to aid in the construction of a rail road from that city to the Mississippi river;"

Was on the 12th instant, approved, and signed by me, and deposited in the office of the Secretary of State.

NELSON DEWEY.

Executive Department,
March 14, 1849.

The message from the Assembly was taken up,

And the question being on concurring in the amendments of Assembly to

No. 20, (S.) a bill to establish a State road through a part of Iowa, Richland and Sauk counties,

They were concurred in.

And the question being on concurring in the amendments of Assembly to

No. 52, (S.) a bill supplementary to an act to incorporate the Milwaukee Fire Insurance Company, approved Dec. 27, 1837, and an act to incorporate the Milwaukee Mutual Fire Insurance Company, approved Feb. 4, 1847;

On motion of Mr. Kinney,

Said bill No. 52, (A.)

Was laid on the table.

No. 65, (A.) a bill to legalize the proceedings of the collector in Addison,

Was read a first and second times.

On motion of Mr. Norton, bill

No. 91, (S.) a bill relating to the sale of spirituous liquors,

Was taken up from the table,

And the question being on ordering said bill to be engrossed and read a third time,

It was determined in the affirmative.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Botkin, Chase, Gardner, Goodell, Kinney, Norton, Sholes, Sprague and Williams—9.

Those who voted in the negative, were

Messrs. Fisher, Merrell and Murphy—3.

A message from the Assembly, by their chief clerk:

Mr. President: —

The Assembly have adopted the following resolution in which the concurrence of the Senate is requested, to wit:

Resolved, (Senate concurring,) That the Senate and Assembly will meet in joint convention in the Assembly chamber on Saturday next, at 3 o'clock, P. M. to elect a Board of Public Works to succeed the present Board, and also to elect some person to fill the vacancy in the present Board.

The Assembly have also concurred in the passage of

No. 106, (S.) a bill to provide for the publication of the revised statutes of this State,

With an amendment;

And,

No. 99, (S.) a bill in relation to highways and bridges,

With sundry amendments;

In which the concurrence of the Senate is requested.

And the said message having been taken up,

And the following resolution being under consideration,

Resolved, (Senate concurring,) That the Senate and Assembly will meet in joint convention in the Assembly chamber on Saturday next at 3 o'clock, P. M. to elect a Board of Public Works, to succeed the present Board, and also to elect some person to fill the vacancy in the present Board;

On motion of Mr. Chase,

Said resolution was laid on the table.

And the question being on concurring in the amendment of Assembly to bill

No. 106, [S.] a bill to provide for the publication of the revised statutes of this State,

It was concurred in.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Botkin, Chase, Fisher, Garder, Goodell, Kinney, Merrell, Murphy, Norton, Sholes, Sprague and Williams—12.

None in the negative.

The amendments of Assembly to bill

No. 99, [S.] a bill in relation to highways and bridges,

Were taken up and considered;

And the following amendments, to wit:

The first, second, third, fourth, fifth, sixth, twelfth, fifteenth, sixteenth, seventeenth, eighteenth, twentieth, and twenty-first,

Were severally concurred in.

And the following amendments, to wit:

The seventh, eighth, ninth, tenth, eleventh, thirteenth, fourteenth and nineteenth,

Were severally non-concurred in.

Mr. Botkin moved that Senate reconsider the vote by which Senate refused to order bill

No. 109, [S.] a bill to pay to Daniel Noble Johnson the sum therein named,

To be engrossed and read a third time;

Which was agreed to;

And said bill No. 109, [S.] was,

On motion of Mr. Chase,

Recommitted to the committee of the whole.

On motion of Mr. Goodell,

Senate adjourned until 3 o'clock this afternoon.

SAME DAY 3 O'CLOCK, P. M.

On motion of Mr. Gardner,

Senate resolved itself into a committee of the whole on the general file of bills;

Mr. Sprague in the chair.

After some time spent therein the committee rose and by their chairman reported the following bills:

No. 77, [A.] a bill to incorporate the Salem Cemetary Society;

No. 88, (A.) a bill to authorize the recording of the town plat of the town of Belmont, in Lafayette county, and for other purposes;

And,

No. 94, (A.) a bill to amend an act entitled 'an act to incorporate the Lawrence Institute of Wisconsin;

Without amendment;

And bills

No. 28, (A.) a bill to amend an act regulating marriages;

No. 65, (A.) a bill to legalize the proceedings of the collector in Addison;

No. 109, (S.) a bill to pay Daniel Noble Johnson the sum therein named;

No. 112, (S.) a bill relating to pleadings in certain cases;

No. 121, (S.) a bill for an act to declare the 4th Lake in Dane county navigable;

And,

No. 125, (S.) a bill to appropriate a sum therein named;

With amendments to each;

And reported progress on the general file of bills,

And ask leave to sit again;

Which was granted.

And the report of the committee of the whole being under consideration,

The amendment to No. 65, (A.) were non-concurred in.

And said bill No. 65, (A.) was,

On motion of Mr. Botkin,

Laid on the table.

The amendments to No. 28, (A.) was concurred in;

And said bill No. 28, (A.)

Was ordered to be read a third time.

The amendment to bill No. 109, (S.) was non-concurred in, and said bill No. 100, (S.) was,

On motion of Mr. Norton,

Committed to the committee on claims.

The amendments to bill No. 121, (S.) were concurred in;

And said bill No. 121, (S.) was,

On motion of Mr. Norton,

Committed to the committee on Incorporations.

The amendments to bill No. 125, (S.) were concurred in;

And said bill No. 125, (S.)

Was ordered to be engrossed and read a third time,

And the following bills,

No. 94, (A.) a bill to amend an act entitled 'an act to incorporate the Lawrence Institute of Wisconsin;

No. 88, (A.) a bill to authorize the recording of the town plat of the town of Belmont in Lafayette county and for other purposes;

And,

No. 77, (A.) a bill to incorporate the Salem Cemetary Society;

Were severally ordered to be read a third time.

Mr. Boyd, from the committee on enrolled bills, made the following report:

The committee on enrolled bills would report,

No. 120, (A.) a bill to organize the town of Chili in the county of Fond du Lac;

No. 112, (A.) a bill to declare the Fond du Lac river a navigable stream;

No. 114, (A.) a bill to establish a State road from Fond du Lac to Port Washington;

No. 128 (A.) a bill to establish a State road from Neenah to Strongs' landing;

No. 111, (A.) a bill to organize the town of Vinland in Winnebago county;

No. 84, (A.) a bill to change the name of the town of Butte des Morts in the county of Winnebago;

No. 113, (A.) a bill to declare certain roads in the town of Lisbon to be lawful highways;

No. 48, (A.) a bill to repeal an act to change the boundaries of the towns of Utica and Rushford in the county of Winnebago;

No. 72, (S.) a bill to appropriate to William R. Smith a sum therein named;

No. 97, (S.) a bill to change the name of the village of Milford in Green county;

No. 77, (S.) a bill to incorporate the Methodist Episcopal church;

No. 106, (S.) a bill to provide for the publication of the revised statutes of this State;

As correctly enrolled.

Mr. Boyd from the committee on enrolled bills reported as follows:

"The committee on enrolled bills would report that they have this day presented to the Governor for his approval,

"An act to prevent obstructions to Black river;"

An act to legalize the proceedings of a school meeting held in school district No. 2, in the town of Medina, Dane county and to raise an additional tax to build a school house;"

"An act to incorporate the Spring Valley Academical Association;"

"An act to cede jurisdiction to the United States over lands to be occupied as sites of light-houses within this State;"

"An act to consolidate and amend an act entitled 'an act to incorporate Carroll College,' approved January 31st, 1846, and an act amendatory thereto, approved January 25th, 1847."

On motion of Mr. Botkin,

Senate adjourned till 10 o'clock to-morrow morning.

THURSDAY, March 15, 1849.

Prayer by the Rev. Mr. Lord.

The reading of the journal of yesterday was dispensed with.

Mr. Cothren, from the committee on compilation, reported bill

No. 132, (S.) general provisions concerning courts and the powers and duties of certain judicial duties;

Which was read a first and second times.

Mr. Kinney, from the joint committee of conference on the disagreeing vote of the two houses on the amendments of Senate to bill

No. 98, (A.) a bill in relation to the law of roads and the regulation of public carriages,

Reported as follows:

That they have had the same under consideration, and recommend the following action:

That the Senate recede from their first amendment; and the Assembly concur in the second amendment of the Senate to the said bill No. 98, (S.)

ASA KINNEY,
DENNIS MURPHY,
Senate.
JOHN M. WELLS,
G. LOWN,
Assembly.

Which report was considered and adopted, and the committee discharged.

Mr. Norton, from the joint committee of conference on the disagreeing vote of the two houses on the amendment made by the Senate, to

No. 135, [A.] a bill to amend an act to provide for levying a State revenue, approved August 1, 1848,

Reported,

That they recommend that the Assembly recede from their vote, in which they disagreed to the amendment of Senate to said bill No. 135, [A.]

O. W. NORTON,
DENNIS MURPHY,
Of the Senate.
H. BARBER,
JOHN M. WELLS,
Of the Assembly.

Which report being under consideration,

Mr. Chase moved to lay the report, together with the bill, on the table;

Which was agreed to;

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Botkin, Chase, Fisher, Merrell, Norton, Sholes and Williams—7.

Those who voted in the negative, were

Messrs. Boyd, Gardner, Goodell, Kinney, Murphy and Sprague—6.

Mr. Kinney moved to take up said bill

No. 135, [A.] a bill to amend an act to provide for levying a State revenue, approved August 1, 1848,

Together with the report of the committee of conference thereon;

Which was not agreed to;

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Boyd, Gardner, Goodell, Kinney, Murphy and Sprague—6.

Those who voted in the negative, were

Messrs. Botkin, Chase, Fisher, Merrell, Norton, Sholes and Williams—7.

Mr. Boyd, from the committee on enrolled bills, reported as follows:

The committee on enrolled bills would report that they did on yesterday present to the Governor for his approval,

"An act to declare certain roads in the town of Lisbon to be lawful highways;"

"An act to establish a State road from Fond du Lac to Port Washington;"

"An act to establish a State road from Neenah to Strong's Landing;"

"An act to organize the town of Chili, in Fond du Lac county;"

"An act to appropriate to William R. Smith the sum therein named;"

"An act to incorporate the Methodist Episcopal church;"

"An act to change the name of the village of Milford, in the county of Green;"

"An act to provide for the publication of the revised statutes of this State;"

"An act to organize the town of Vineland, in the county of Winnebago;"

"An act to change the name of the town of Butte des Mortts, in Winnebago county;"

"An act to repeal an act to change the boundaries of the towns of Utica and Rushford, in the county of Winnebago;"

"An act to declare the Fond du Lac river a navigable stream."

A message from the Assembly, by their chief clerk:

Mr. President—

I am directed to present for your signature,

"An act to incorporate the Methodist Episcopal church;"

"An act to change the name of the village of Milford, in Green county;"

"An act to appropriate to William R. Smith a sum therein named;"

"An act to declare certain roads in the town of Lisbon be to lawful highways;"

"An act to organize the town of Vineland, in the county of Winnebago;"

"An act to change the name of the town of Butte des Mortts, in Winnebago county;"

"An act to establish a State road from Neenah to Strong's Landing;"

"An act to establish a State road from Fond du Lac to Port Washington;"

"An act to declare the Fond du Lac river a navigable stream;"

"An act to organize the town of Chili, in Fond du Lac county;"

"An act to repeal an act to change the boundaries of the towns of Utica and Rushford, in the county of Winnebago;"

And,

"An act to provide for the publication of the revised statutes of this State;"

Which have been signed by the Speaker of the Assembly.

The Assembly have receded from their seventh, eighth, ninth, tenth, eleventh, and nineteenth amendments to

No. 99, [S.] a bill in relation to highways and bridges, and insist on their thirteenth and fourteenth amendments to said bill, and ask a committee of conference on the disagreeing votes of the Senate and Assembly on said bill; and have appointed Messrs. Wells and Ayres as a committee of conference on the part of the Assembly to act in conjunction with a similar committee to be appointed on the part of the Senate on the disagreeing vote of the Senate and Assembly on the same.

The Assembly have passed

No. 7, [A.] a memorial to the President of the United States asking that measures may be taken to prevent depredations by Indians;

No. 68, [A.] a bill repealing all laws providing for the licensing of the sale of spirituous liquors;

No. 85, [A.] a bill to organize the towns of Primrose and Perry, in Dane county;

No. 100, [A.] a bill to organize the town of Buena Vista, in the county of Richland;

No. 122, [A.] a bill submitting the question of the right of suffrage to a vote of the people;

No. 127, [A.] a bill to amend an act entitled an "an act to provide for the improvement of the Fox and Wisconsin rivers, and connecting the same by a canal, approved August 8, 1848;

No. 132, [A.] a bill to declare a certain road in the town of Rosendale, in Fond du Lac county, to be a lawful highway;

No. 133, [A.] a bill in relation to certain school district in in Fond du Lac county;

No. 134, [A.] a bill to legalize the acts of certain town officers of the town of Spring Prairie, and to declare a road therein described, a lawful highway;

No. 138, [A.] an act to amend an act supplementary to an act to incorporate the Milwaukee and Waukesha Railroad Company, approved March 11, 1848, and an act to incorporate the Milwaukee and Waukesha Railroad Company, approved February 11, 1847;

No. 142, [A.] a bill to repeal an act entitled an "act to amend an act to organize school district number one, in Fond du Lac, for special purposes, approved February 10, 1847, and all other acts relating to the same subject;"

No. 148, [A.] a bill to amend an act approved August 19, 1848, entitled "an act to organize the several towns therein named;"

No. 149, [A.] a bill to legalize a certain road therein named;

No. 151, [A.] a bill for an act to organize a school district in the town of Sun Prairie, Dane county;

And,

No. 167, [A.] a bill to alter the boundaries of the town of Milford, in Jefferson county;

In all of which the concurrence of the Senate is requested.

And has concurred in the passage of

No. 37, [S.] a bill to amend an act entitled "an act to provide for the improvement of the Fox and Wisconsin rivers, and connecting the same by a canal, approved August 8, 1848;"

With an amendment;

In which the concurrence of the Senate is requested.

And have passed

No. 117, [A.] a bill in relation to crimes, and the punishments therefor;

No. 144, [A.] a bill concerning the action of replevin;

And,

No. 102, [A.] a bill in relation to the formation of corporations for manufacturing, mining, lumbering, mechanical and chemical purposes;

In which the concurrence of the Senate is requested.

The Assembly have adopted the report recommended by the committee of conference on the disagreeing vote of the Senate and Assembly on

No. 135, [A.] a bill to amend an act to provide for levying a State revenue, approved August 1, 1848.

On motion of Mr. Gardner,

The messages of Assembly were taken up, and the following bills, to wit:

No. 7, [A.] memorial to the President of the United States, asking that measures may be taken to prevent depredations by Indians;

No. 68, [A.] a bill repealing all laws providing for the licensing of the sale of spirituous liquors;

No. 85, [A.] a bill to organize the towns of Primrose and Perry, in Dane county;

No. 100, [A.] a bill to organize the town of Buena Vista, in the county of Richland;

No. 122, [A.] a bill submitting the question of the extension of the right of suffrage to a vote of the people;

No. 127, [A.] a bill to amend an act entitled "an act to provide for the improvement of the Fox and Wisconsin rivers, and connecting the same by a canal, approved Aug. 8, 1848;"

No. 132, [A.] a bill declaring a certain road in the town of Rosendale, in Fod du Lac county, to be a lawful highway;

No. 133, [A.] a bill in relation to certain school districts in Fond du Lac county;

No. 134, [A.] a bill to legalize the acts of certain town officers of the town of Spring Prairie, and to declare a road therein described a lawful highway;

No. 138, [A.] an act to amend an act supplementary to an act to incorporate the Milwaukee and Waukesha Railroad Company, approved March 11, 1848, and an act to incorporate the Milwaukee and Waukesha Railroad Company, approved February 11, 1847;"

No. 142, [A.] a bill to repeal an act entitled "an act to amend an act to organize school district number one, in Fond du Lac, for special purposes, approved February 10, 1847, and all other acts relating to the same subject;

No. 148, [A.] a bill to amend an act approved August 19, 1848, entitled "an act to organize the several towns therein named;"

No. 149, [A.] a bill to legalize a certain road therein named;

No. 151, [A.] a bill for an act to organize a school district in the town of Sun Prairie, Dane connty;

No. 167, [A.] a bill to alter the boundaries of the town of Milford, in Jefferson county;

No. 117, [A.] a bill in relation to crimes, and the punishments therefor;

No. 102, [A.] a bill in relation to the formation of corporations for manufacturing, mining, lumbering, mechanical and chemical purposes; and,

No. 144, [A.] bill concerning the action of replevin;

Were severally read a first and second times.

The amendments of Assembly to bill

No. 37, [S.] a bill to amend an act entitled "an act to provide for the improvements of the Fox and Wisconsin rivers, and connecting the same by a canal, approved August 8, 1848,"

Being under consideration,

Mr. Merrell moved that said bill No. 37, [S.], together with the amendments, be referred to a select committee;

Which was agreed to;

And Messrs. Merrell, Murphy and Chase were appointed such committee.

Under rule,

Senate resolved itself into a committee of the whole on

Reports of revisers and committee on compilation;

Mr. Boyd in the chair.

After some time spent therein, the committee rose, and by their chairman reported bills

No. 144, [A.] a bill concerning the action of replevin;

No. 117, [A.] a bill in relation to crimes, and the punishment therefor;

And,

No. 132, [S.] general provisions concerning courts, and the powers and duties of certain judicial officers;

Without amendments.

Also, that they had had under consideration, bill

No. 102, [A.] a bill in relation to the formation of corporations for manufacturing, mining, lumbering, mechanical and chemical purposes,

And had returned it the general file,

And reported progress and asked leave to sit again;

Which was granted.

And said bill

No. 117, [A.] was,

On motion of Mr. Norton,

Referred to a select committee consisting of

Messrs. Norton, Botkin and Williams.

And said bill

No. 132, [S.] was,

On motion of Mr. Gardner,

Referred to a select committee consisting of

Messrs. Gardner, Chase and Merrell.

And said bill

No. 144, [A.] was ordered to a third reading.

On motion of Mr. Williams,

All rules were suspended in relation to said bill No. 144, [A.]

And it was ordered to a third reading now;

And

No. 144, [A.] a bill concerning the action of replevin,

Was read a third time, passed,

And the title agreed to.

The President appointed Messrs. Fisher and Goodell a joint committee of conference on the disagreeing vote of the two houses on the amendments of Assembly to bill

No. 99, [S.] a bill in relation to highways and bridges.

A message from the Assembly, by their chief clerk:

Mr. President:—

The Governor has informed the Assembly that he has on this day approved, signed and deposited in the office of the Secretary of State,

"An act to organize the town of Chili, in Fond-du-Lac county;"

"An act to declare the Fond du Lac river a navigable stream;"

"An act to declare certain roads in the town of Lisbon be to lawful highways;"

"An act to establish a State road from Fond du Lac to Port Washington;"

"An act to organize the town of Vineland, in the county of Winnebago;"

"An act to change the name of the town of Butte des Mortts, in Winnebago county;"

"An act to repeal an act to change the boundaries of the towns of Utica and Rushford, in the county of Winnebago;"

And,

"An act to establish a State road from Neenah to Strong's Landing."

The Assembly have concurred in the passage of

No. 128, (S.) a bill for the relief of insolvent debtors,

Without amendment;

And have passed

No. 153, (A.) a bill supplementary to an act to authorize Thomas P. Williams and others to build a bridge;

In which the concurrence of the Senate is requested.

And that Assembly has concurred in the passage of

No. 102, (S.) a bill to incorporate the First Christian Society in the town of Monroe, in Green county;

No. 110, (S.) a bill to amend an act entitled "an act to incorporate the village of Madison;

And,

No. 127, (S.) a bill relating to improvements on real estate;

Without amendments.

On motion of Mr. Chase,

Senate adjourned until 3 o'clock this afternoon.

SAME DAY 3 O'CLOCK, P. M.

Mr. Williams, from the committee on incorporations, to which had been referred bill

No. 121, (S.) a bill for an act to declare the Fourth Lake, in Dane county, navigable,

Reported said bill back, with an amendment;

And said bill No. 121, (S.) was read a second time.

Mr. Norton, from the select committee to which had been referred

No. 117, (S.) a bill in relation to crimes, and the punishishments therefor,

Reported said bill back, without amendment, and recommend its passage.

Mr. Fisher, from the committee on engrossed bills, reported as correctly engrossed,

No. 91, (S.) a bill relating to the sale of spirituous liquors;

And,

No. 125, (S.) a bill to appropriate a sum therein named.

A message from the Governor:

To the Senate—

I have this day approved, signed and deposited in the office of the Secretary of State, acts of the following titles, to wit:

"An act to appropriate to William R. Smith a sum therein named;"

"An act to change the name of the village of Milford, in Green county;"

And,

"An act to incorporate the Methodist Episcopal church."

NELSON DEWEY.

Executive Department,
March 15, 1849.

The message of the Assembly was taken up, and

No. 153, (A.) a bill supplementary to an act to authorize Mhomas P. Williams and others to build a bridge,

Was read first and second times.

A message from the Governor:

Executive Department,
Madison, March 14, 1849.

To the Senate—

I herewith return to the Senate, in which it originated, a bill entitled "an act to provide for a final settlement with the Milwaukee & Rock River Canal Company," without the executive sanction.

By an act of the Legislature of the Territory of Wisconsin, passed on the 5th day of January, 1838, this canal company was incorporated, with a capital stock of one hundred thousand dollars, with the power of increasing it to one million of dollars. This corporation was, among other things, empowered "to purchase, hold and convey, real, personal or mixed estate," without limitation, to construct, maintain and continue a navigable canal, or slack water navigation, from the town of Milwaukee to Rock river, and to apply to Congress for an appropriation in money or lands, to aid in the construction of such works.

On the 18th of June, 1838, an act of Congress was passed, granting to the Territory of Wisconsin, for the purpose of aiding in opening such canal, a quantity of land amounting to about 140,000 acres. On the 26th of February, 1839, the Legislature passed an act providing for a sale of these lands, and made provisions for aiding the company in the construction of the canal, but the Legislature reserved the power, at any time to alter, amend or repeal this last act, or any of its provisions, except so much thereof as relates to the reimbursement of such sums of money as may have been borrowed under it.

In pursuance of these and subsequent acts of the Territorial Legislature, the construction of the canal was commenced, by the building of a dam across the Milwaukee river, near the city of Milwaukee, and digging a canal or race extending from the dam down the river—which dam and race constituted the water power named in the bill herewith returned.

This dam and race, and water power, were created at an expense on the part of the Territory of $25,000 or $30,000 including ten bonds, yet outstanding and unpaid, of $1000 each. The exact cost of these improvements is not definitely known, but it appears from reports of committees made to the Territorial Legislature, based upon the representations of the canal company, that the estimated value is some $50,000.

In 1842 the Legislature repealed all laws providing for any sale of these lands, and refused further to aid in the construction of the canal.

The act of Congress granting the land referred to, makes the Territory a stockholder in this company to the extent of the funds applied to the construction of the work, whether derived from a sale of the lands or from loans.

It appears from the accounts of the canal company, rendered to the Legislature, that the amount of expenditures made by the company, ammount in the aggregate to about $56,000. Of this sum, the canal fund has contributed about $31,000, and the company the residue, as also appears from the report of a select committee, made to the House of Representatives of the Territorial Legislature, at its last session.

The Senate bill under consideration, in the first section, provides for releasing to the canal company (without, in my opinion, any adequate consideration) "all right which this State may have," to purchase that part of the canal which has been completed, and all right which this State may have had, or may have at this time, to any part or interest in the said canal and in the capital stock of the said company.

As an inducement and bonus for the company to accept of this gratuity, the second section of this bill provides, in substance, that the capital stock of this company, and these valuable improvements shall be forever free from taxation.

In my opinion, under this section all additional improvement and investment of capital this company may hereafter erect, or lay out upon this dam, canal and water power, would be exempt from all taxation through all time to come.

I object to this bill becoming a law, for the reason that its provisions, in my opinion, contravene the first section of the eighth article of the constitution, which declares that "the rule of taxation shall be uniform, and taxes shall be levied upon such property as the Legislature shall provide." This rule of uniformity can only be preserved in levying taxes, by observing two main principles or rules. One is, that the rate or ratio of taxation should be equal throughout the State, when any State tax is levied; and throughout any given county, town, or other district, when any tax is levied for county, town, or district purposes. The other is, that such taxes should be levied upon the same kinds of property, owned by the same class of persons, or engaged or invested in the same character of improvements or business, and that when property is exempted from taxation, such exemption should extend to the same class of individuals, employments or professions, or to the same kinds of property, and not to isolated individual cases. The second section of this bill proposes to exempt from taxation the particular property of a particular company, and is therefore a violation of this section of the constitution. If it provided for the exemption from taxation, of all property invested in the creation, and the value of all water powers, this rule of uniformity would be preserved. But aside from any constitutional objections, I object to the passage of this bill upon the ground of expediency; as it establishes a principle and precedent of legislation impolitic and unjust. Upon what principle of natural justice or State policy, this company or the owners of these valuable improvements, should become the recipients of such extraordinary legislative favor it is difficult to conceive.

No well-founded argument in my opinion, based upon sound reason or the principles of justice, can be adduced to relieve this company, or this property, from the burdens of taxation due to the government, and to which other companies, individuals, and property, are subject.

If the State realizes all the right which it may have in this stock or improvement, toward the creation of which the territory contributed some $30,000, of which the State has $10,000 yet to pay the Canal Company, and it becomes the possessor of this whole work; it is as great an act of liberality as the company or any one else has any right to expect at the hands of the State. The expediency and propriety of even doing this at the present session, may well be questioned; and I would suggest its postponement, at least for this session.

This dam is thrown across the Milwaukee river, which has been meandered by the general government, and is, therefore, regarded in a national point of view, as one of the navigable waters of the River St. Lawrence. The ordinance 1787, the act of Congress authorizing the people of this State to form a constitution and State government, and the constitution of this State, declare that "the Mississippi river and the navigable waters leading into it, and the river St. Lawrence, and the carrying places between the same shall be common highways, and forever free as well to the inhabitants of this State, as to the citizens of the United States, without any tax, import or duty therefor."

Should the bill under consideration pass, according to the act of incorporation, this company would have the perpetual right, so far as legislative enactments could give such right, to obstruct the navigation of Milwaukee river, which would be in derogation of the ordinance and act of Congress referred to, and the constitution of this State.

I am not aware of any law requiring this company to build and maintain any lock or locks and attend the same for the free passage of such boats or rafts as are usually run upon this stream; and this bill contains no such provision.

The State should not part with its control over this dam and canal, until such provision is made by law. I therefore object to the passage of this bill for this reason.

With these objections this bill is returned to the Senate without my approval.

NELSON DEWEY.

And said message was taken up, and being under consideration, together with the said act,

"An act to provide for a final settlement with the Milwaukee and Rock River Canal Company;

And the question being,

"Will Senate reconsider and pass said act, notwithstanding the objections of the Governor,"

It was determined in the negative.

And the ayes and noes having been called,

Those who voted in the affirmative, were

Messrs. Botkin, Chase, Goodell, Kinney, Merrell, Norton, Sholes and Sprague—8.

Those who voted in the negative, were

Messrs. Boyd, Cothren, Fisher, Gardner, Murphy and Williams—6.

The following bills, being on their third reading,

No. 91, (S.) a bill relating to the sale of spirituous liquors,

Was read a third time and passed.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Botkin, Boyd, Chase, Gardner, Goodell, Kinney, Norton, Sholes, Sprague and Williams—10.

Those who voted in the negative, were

Messrs. Fisher, Merrell and Murphy—3.

The title of the bill was agreed to.

No. 125, [S.] a bill to appropriate a sum therein named,

Was read a third time and passed;

And Mr. Boyd moved to amend the title as follows:

Strike out all after the word "bill" and insert

"To change the name of the first Presbyterian Society of White Water and vicinity, and to confer certain powers on said society;

Which was agreed to;

And the title as amended was agreed to.

No. 28, [A.] a bill to amend an act entitled 'an act regulating marriages,'

Was read a third time;

And said bill was,

On motion of Mr. Botkin,

Laid on the table.

No. 77, [A.] a bill to incorporate the Salem Cemetary Society,

Was read a third time;

And said bill was,

On motion of Mr. Gardner,

Laid on the table.

No. 88, [A.] a bill to authorize the recording of the town plat of the town of Belmont in Lafayette county, and for other purposes,

Was read a third time and passed.

Mr. Chase moved to amend the title by striking out the words "and for other purposes;"

Which was agreed to;

And the title as amended was agreed to.

No. 94, (A.) a bill to amend an act entitled 'an act to incorporate the Lawrence Institute of Wisconsin;

Was read a third time, passed, and the title agreed to.

On motion of Mr. Gardner, bill

No. 113, (S.) a bill to authorize Alvah Culver to keep and maintain a ferry across the Wisconsin river,

Was taken up from the table,

Read a third time, passed, and the title agreed to.

Rules were suspended in relation to bill No. 117, A., and said bill

No. 117, (A.) a bill in relation to crimes and the punishments thereof,

Was read a third time, passed, and the title agreed to.

On motion of Mr. Kinney, bill

No. 135, (A.) a bill to amend an act to provide for levying a State revenue, approved August 1st, 1848,

Together with the report of the committee of conference thereon,

Was taken up from the table;

And the question being on the adoption of the said report,

Mr. Kinney moved a call of the house.

And the roll having been called,

Mr. Goodell was reported absent;

And Mr. Goodell having appeared in his seat, further proceedings in the call were susdended.

And the question recurring on the adoption of said report,

It was determined in the negative.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Boyd, Cothren, Gardner, Goodell, Kinney, Murphy, and Sprague—7.

Those who voted in the negative, were

Messrs. Botkin, Chase, Fisher, Merrell, Norton, Sholes and Williams—7.

The President voted in the negative.

Mr. Norton from the enrolling committee on bills of revisers and committee on compilation, reported as correctly enrolled,

No. 85, (S.) a bill in relation to strays;

No. 86, (S.) a bill in relation to the disposition of unclaimed property;

No. 116, (A.) a bill in relation to homicide;

And,

No. 145, (A.) a bill concerning oaths.

On motion of Mr. Gardner,

Senate resolved itself into a committee of the whole on the general file of bills;

Mr. Williams in the chair.

After some time spent therein the committee rose and by their chairman reported the following bills:

No. 68, [A.] a bill repealing all laws providing for the licensing of the sale of spirituous liquors;

No. 85, [A.] a bill to organize the towns of Primrose and Perry, in Dane county;

No. 100, [A.] a bill to organize the town of Buena Vista, in the county of Richland;

No. 132, [A.] a bill to declare a certain road in the town of Rosendale, in Fond du Lac county, to be a lawful highway;

No. 133, [A.] a bill in relation to certain school districts in in Fond du Lac county;

No. 138, [A.] an act to amend an act supplementary to an act to incorporate the Milwaukee and Waukesha Railroad Company, approved March 11, 1848, and an act to incorporate the Milwaukee and Waukesha Railroad Company, approved February 11, 1847;

No. 142, [A.] a bill to repeal an act entitled an "act to amend an act to organize school district number one, in Fond du Lac, for special purposes, approved February 10, 1847, and all other acts relating to the same subject;"

No. 148, [A.] a bill to amend an act approved August 19, 1848, entitled "an act to organize the several towns therein named;"

No. 149, [A.] a bill to legalize a certain road therein named;

No. 151, [A.] a bill for an act to organize a school district in the town of Sun Prairie, Dane county;

No. 167, [A.] a bill to alter the boundaries of the town of Milford, in Jefferson county;

And,

No. 7, [A.] a memorial to the President of the United States, asking that measures may be taken to prevent depredations by Indians;

Without amendments;

And bills

No. 102, [A.] a bill in relation to the formation of corporations for manufacturing mining, lumbering, mechanical, and chemical purposes;

No. 122, [A.] a bill submitting the question of the right of suffrage to a vote of the people;

And,

No. 123, [S.] a bill for an act to prevent obstructions in the Catfish river;

With amendments to each;

And reported progress on the general file of bills,

And ask leave to sit again;

Which was granted.

And the question being on concurring in the amendments of the committee of the whole to bill

No. 123, (S.)

They were concurred in;

And said bill No. 123, (S.)

Was ordered to be engrossed and read a third time.

And the question being on concurring in the amendments of the committee of the whole to bill No. 122, (A.)

They were non-concurred in;

And said bill No. 122, (A.)

Was ordered to be read a third time.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Boyd, Chase, Gardner, Norton, Sholes and Williams—6.

Those who voted in the negative, were

Messrs. Botkin, Fisher, Merrell, Murphy and Sprague—5.

And the question being on concurring in the amendments of the committee of the whole to bill No. 102, (A.)

The first amendment was concurred in.

The second amendment was non-concurred in.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Chase, Gardner, Murphy and Sholes—4.

Those who voted in the negative, were

Messrs. Botkin, Boyd, Fisher, Merrell, Norton, Sprague and Williams—7.

The third amendment being under consideration,

Mr. Norton moved to amend the same by striking out 'forty' and inserting 'eighty acres;'

Which was not agreed to;

And the third amendment was concurred in.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Botkin, Chase, Fisher, Gardner, Goodell, Sholes and Sprague—7.

Those who voted in the negative, were

Messrs. Boyd, Merrell, Murphy, Norton and Williams—5.

And said bill No. 102, (A.)

Was ordered to be read a third time.

On motion of Mr. Norton,

Bill No. 68, (A.)

Was laid on the table.

On motion of Mr. Williams,

Bill No. 167, (A.) was laid on the table.

And the following bills,

No. 85, A., No. 100, A., No. 132, A., No. 133, A., No. 138, A., No. 142, A., No. 148, A., No. 149, A., and No. 151, A., and memorial No. 7, A.,

Were severally ordered to be read a third time.

Mr. Botkin moved to take up from the table bill,

No. 65, (A.) a bill to legalize the proceedings of the collector in Addison;

Which was agreed to.

On motion of Mr. Williams,

Senate adjourned until 10 o'clock to-morrow morning.

FRIDAY, March 16, 1849.

Prayer by the Rev. Mr. Penman.

Mr. Cothren from the committee on compilation, reported bill

No. 133, (S.) an act of the partition of lands owned by several persons, and on waste;

Which was read a first and second times.

On motion of Mr. Kinney,

Senate resolved itself into a committee of the whole on bill

No. 116, (S.) a bill to organize the several towns therein named;

Mr. Murphy in the chair.

After some time spent therein the committee rose and by ther chairman reported said bill No. 116, (S.)

With amendments;

And the question being on concurring in the amendments of the committee of the whole to said bill No. 116, (S.)

They were concurred in;

And said bill 116, (S.)

Was ordered to be engrossed and read a third time.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Botkin, Chase, Cothren, Goodell, Kinney, Merrell, Murphy, Norton, Sholes, Sprague and Williams—11.

Those who voted in the negative, were

Messrs. Boyd, Fisher and Gardner—3.

Mr. Fisher moved to reconsider the vote by which Senate refused to adopt the report and recommendation of the joint committee of conference on the disagreeing vote of the two houses on bill

No. 135, (A.) a bill to amend an act to provide for levying a State revenue, approved August 1st, 1848;

Which was agreed to.

And the question being on the adoption of the report and recommendation of the joint committee of conference on the disagreeing vote of the two houses on said bill No. 135, (A.)

The report and recommendation was adopted.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Boyd, Cothren, Gardner, Goodell, Kinney, Murphy and Sprague—7.

Those who voted in the negative, were

Messrs. Botkin, Chase, Fisher, Merrell, Norton, Sholes and Williams—7.

The President voted in the affirmative.

A message from the Assembly, by their chief clerk:

Mr. President:—

The Assembly have concurred in the passage of

No. 107, (S.) a bill in relation to testimony and depositions,

Without amendment;

And have passed,

No. 118, (A.) a bill to fix the time for holding the terms of Circuit Courts;

In which the concurrence of Senate is requested.

Under rule, the Senate resolved itself into a committee of the whole on bills from Revisers, and Compiling committee;

Mr. Sholes in the chair.

After some time spent therein, the committee rose and by their chairman reported the following bills:

No. 126, (S.) a bill relating to proceedings against debtors by attachment;

And,

No. 130, (S.) of the support of bastards;

With amendments to each;

And,

No. 129, (S.) of Normal Schools;

No. 131, (S.) of inquests of the dead;

And,

No. 133, (S.) an act of the partition of lands owned by several persons and on waste;

Without amendments.

And the question being on concurring in the amendments of the committee of the whole to bill No. 126, (S.)

They were concurred in.

And said bill No. 126, (S.) was,

On motion of Mr. Gardner,

Committed to the committee on Incorporations.

The amendments of the committee of the whole to bill No. 130, (S.) were concurred in.

And said bill No. 130, (S.)

Was ordered to be engrossed and read a third time.

No. 133, (S.) was ordered to be engrossed and read a third time.

No. 129, (S.) was,

On motion of Mr. Botkin,

Laid on the table.

No. 131, (S.) was ordered to be engrossed and read a third time.

On motion of Mr. Kinney,

All rules were suspended in relation to said bills No. 130, (S.) and No. 131, (S.)

And they were were severally ordered to a third reading now; and said bills,

No. 130, (S.) of the support of bastards,

And,

No. 131, (S.) of inquests of the dead,

Were severally read a third time, passed, and their titles severally agreed to.

On motion of Mr. Chase,

The following resolution of Assembly,

Resolved, (Senate concurring,) That the Senate and Assembly will meet in joint convention, in the Assembly chamber, on Saturday next, at 3 o'clock, P. M., to elect a Board of Public Works to succeed the present Board, and also to elect some person to fill the present Board,

Was taken up, and being under consideration;

Mr. Goodell moved to amend the same as follows:

Strike out all after "Resolved" and insert

"By the Senate and Assembly, That the Senate and Assembly will meet in joint convention in the Assembly chamber, on Saturday next, March 17th, at 3 o'clock, P. M., to elect some person to fill the vacancy in the Board of Public Works, occasioned by the resignation of Curtis Reed;

Which was agreed to.

And the resolution as amended was agreed to.

Mr. Merrell from the select committee to which was referred said bill No. 37, (S.) reported as follows:

The select committee to whom was referred bill

No. 37, [S.] a bill to amend an act entitled 'an act to provide for the improvement of the Fox and Wisconsin rivers, and connecting the same by a canal,' approved Aug. 8, 1848,

Beg leave to

REPORT:

That they have had the same under consideration and recommend the following amendmendment to the amendment of Assembly:

Strike out all after the word "of" where it occurs after the word "office" in the first section of the amendment, and insert as follows:

"The present Board of Public Works, and all subsequent Boards, terminate on the first Monday in February in each year or as soon thereafter as their successors shall be elected or appointed and qualified."

Section 2. After the first Monday of February next, the said Board of Public Works shall consist of three persons, two of whom shall constitute a quorum.

Section 3. The forty-first section of said act is so amended as to read as follows: Whenever a person has settled or shall settle and improve any of said lands, and shall intend to purchase the same under the provisions of the said act, such person or their heirs shall make the necessary proof and payment for the same before the day appointed for the sale of the said lands.

HENRY MERRELL,
WARREN CHASE,
DENNIS MURPHY,
Committee.

Which report was received and the committee discharged.

And the question being on the adoption of the said report,

It was adopted.

A message from the Assembly, by their chief clerk:

Mr. President—

The Assembly have passed,

No. 178, [A.] a bill concerning judgments and executions;

In which the concurrence of the Senate is requested.

On motion of Mr. Chase,

Senate adjourned until 3 o'clock this afternoon.

SAME DAY 3 O'CLOCK, P. M.

The reading of the Journal of yesterday was dispensed with.

Mr. Fisher from the committee on engrossed bills reported as correctly engrossed,

No. 116, [S.] a bill to organize the several towns therein named;

And,

No. 123, [S.], an act to prevent obstructions in the Catfish river.

Mr. Murphy from the committee on claims, to whom had been referred

No. 109, [S.] a bill to pay Daniel Noble Johnson the sum therein named,

Reported said bill back with an amendment;

And said bill No. 109, [S.]

Was read a second time.

The messages from the Assembly were taken up;

And bills

No. 118, [A.] a bill to fix the times for holding the terms of circuit courts;

And,

No. 178, [A.] a bill concerning judgments and executions;

Were severally read a first and second times.

No. e16, [S.] a bill to organize the several towns therein named,

Was read a third time and passed.

And the ayes and noes having been called,

Those who voted in the affirmative, were

Messrs. Botkin, Chase, Goodell, Kinney, Merrell, Murphy, Norton, Sprague and Williams—9.

Those who voted in the negative, were

Messrs. Boyd, Fisher and Gardner—3.

Mr. Kinney moved to amend the title as follows:

Strike out all after the word "bill" and insert

"To provide for a final settlement with the Milwaukee and Rock River Canal Company;"

Which was agreed to.

And the title as amended was agreed to.

No. 123, [S.] a bill for an act to prevent obstructions in the Catfish river;

Was read a third time and passed.

Mr. Gardner moved to amend the title of said bill as follows:

Strike out all after the word "bill" and insert

"To provide for the publication of certain laws;"

Which was agreed to, and the title as amended was agreed to.

On motion of Mr. Gardner,

All rules were suspended in relation to bill No. 133, [S.] and it was ordered to a third reading now;

And said bill

No. 133, (S.) act of the partition of lands owned by several persons and on waste,

Was read a third time, passed, and the title agreed to.

On motion of Mr. Merrell, bill

No. 107, (A.) a bill to declare part of a State road to be a lawful highway,

Was taken from the table and ordered to a third reading.

On motion of Mr. Kinney, bill

No. 115, [S.] a bill to change the name of the town of Juneau in the county of Dodge,

Was taken from the table and ordered to a third reading.

On motion of Mr. Kinney,

All rules were suspended in relation to said bills No. 107, [A.] and No. 115, [S.] and they were ordered to a third reading now;

And said bills No. 107, [A.] and 115, [S.]

Were severally read a third time, passed, and their titles severally agreed to.

Mr. Norton, on leave, presented the petition of James Armstrong and 170 others of Janesville, Rock county, praying for the passage of the bill now before the legislature repealing all laws providing for the sale of spirituous liquors;

Which, on his motion, was referred to the Senator from Fond du Lac.

Mr. Norton from the enrolling committee on bills from Revisers and Compiling committee, reported as correctly enrolled,

No. 126, [A.] a bill concerning the nature of estates in lands and of uses and trusts;

Mr. Boyd from the committee on enrolled bills reported as follows:

The committee on enrolled bills would report

No. 125, [A.] a bill to legalize the proceedings of a school meeting held in school district No. one in the town of Waterloo, Jefferson county;

No. 20, [S.] a bill to establish a State road through a part of Iowa, Richland and Sauk counties;

No. 135, (A.) a bill to amend an act to provide for levying a State revenue, approved August 1st, 1848;

No. 119, [A.] a bill to change the name of the village of Harazthy in Sauk county;

No. 82, [A.] a bill to divide the town of Cottage Grove in Dane county, into two separate towns;

No. 46, [A.] a bill to appropriate to Daniel Noble Johnson the sum therein named;

As correctly enrolled.

The following bill,

No. 122, [A.] a bill submitting the question of the extension of the right of suffrage to a vote of the people;

Was read a third time and passed.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Boyd, Chase, Gardner, Goodell, Kinney, Norton, Sholes, Sprague and Williams—9.

Those who voted in the negative, were

Messrs. Botkin, Cothren, Fisher, Merrell and Murphy—5.

No. 138, [A.] an act to amend an act supplementary to an act to incorporate the Milwaukee and Waukesha Railroad Company, approved March 11, 1848, and an act to incorporate the Milwaukee and Waukesha Railroad Company, approved February 11, 1847;"

Being on its third reading, was,

On motion of Mr. Botkin,

Laid on the table.

The following bills,

No. 85, [A.] a bill to organize the towns of Primrose and Perry, in Dane county;

No. 102, [A.] a bill in relation to the formation of corporations for manufacturing, mining, lumbering, mechanical and chemical purposes;

No. 100, [A.] a bill to organize the town of Buena Vista, in the county of Richland;

No. 132, [A.] a bill declaring a certain road in the town of Rosendale, in Fond du Lac county, to be a lawful highway;

No. 133, [A.] a bill in relation to certain school districts in Fond du Lac county;

No. 142, [A.] a bill to repeal an act entitled "an act to amend an act to organize school district number one, in Fond du Lac, for special purposes, approved February 10, 1847, and all other acts relating to the same subject;

No. 148, [A.] a bill to amend an act approved August 19, 1848, entitled "an act to organize the several towns therein named;"

No. 149, [A.] a bill to legalize a certain road therein named;

And,

No. 151, [A.] a bill for an act to organize a school district in the town of Sun Prairie, Dane county;

Were severally read a third time, passed, and their titles severally agreed to.

On motion of Mr. Kinney,

Senate resolved itself into a committee of the whole on the general file of bills.

After some time spent therein the committee rose and by their chairman reported the following bills:

No. 127, [A.] a bill to amend an act entitled "an act to propride for the improvement of the Fox and Wisconsin rivers, and connecting the same by a canal, approved Aug. 8, 1848;"

No. 153, [A.] a bill supplementary to an act to authorize Thomas P. Williams and others to build a bridge;

No. 108, [S.] a bill to incorporate the Walworth Academy;

Without amendments;

And,

No. 112, (S.) a bill relating to pleadings in certain cases;

And, No. 121, (S.) a bill for an act to declare the Fourth Lake, in Dane county, navigable,

With amendments to each;

And reported progress on the general file of bills, and ask leave to sit again;

Which was granted.

The amendments of the committee of the whole to bill No. 121, (S.)

Were concurred in;

And said bill

No. 121, (S.) was ordered to be engrossed and read a third time.

The amendments of the committee of the whole to bill No. 112, (S.),

Were concurred in;

And said bill

No. 112, (S.) was ordered to be engrossed and read a third time.

No. 108, (S.) was ordered to be engrossed and read a third time.

No. 127, (A.) was,

On motion of Mr. Merrell,

Referred to the committee on expiration and re-enactment of laws.

No. 153, (A.) was.

On motion of Mr. Kinney,

Laid on the table.

On motion of Mr. Norton,

All rules were suspended in relation to bills No. 108, (S.) and No. 121, (S.),

And said bills were ordered to a third reading now;

And said bill

No. 108, (S.) a bill to incorporate the Walworth County Academy,

Was read a third time, passed,

And the title agreed to.

No. 121, (S.) a bill for an act to declare the Fourth Lake, in Dane county, navigable,

Was read a third time and passed.

Mr. Norton moved to amend the title as follows:

Strike out all after the word "bill," and insert "to declare certain roads in Johnstown, Rock county, lawful highways;"

Which was agreed to;

And the title, as amended, was agreed to.

Mr. Boyd offered the following resolution:

Resolved, that the use of the Senate chamber be granted to the State Agricultural Society, to hold a meeting this evening;

Which was adopted.

A message from the Assembly, by their chief clerk:

Mr. President:—

"An act to appropriate to Daniel Noble Johnson, the sum therein named;"

I am directed to present for your signature,

"An act to divide the town of Cottage Grove, in Dane county, into separate tows;"

"An act to change the name of the village of Haraszty, in Sauk county, to We[illegible]eld;"

"An act to legalize the proceedings of a school meeting held in district number one, in the town of Waterloo, Jefferson county;"

"An act to amend an act to provide for levying and collecting State revenue;" and,

"An act to establish a State road through a part of Iowa, Richland and Sauk counties;"

Which have been signed by the Speaker of the Assembly.

The Assembly have concurred in the amendment of the Senate, to

No. 88, (A.) a bill to authorize the recording of the town plat of the town of Belmont, in Lafayette county, and for other purposes;

And have concurred in the amendment of the Senate to

Joint resolution relative to meeting in joint convention for the purpose of electing a board of public works;

And also in the amendments of the Senate, to

No. 37, (S.) a bill to amend an act entitled "an act to provide for the improvement of the Fox and Wisconsin rivers, and connecting the same by a canal, approved August 8, 1848."

The Assembly have passed

No. 150, (A.) an act to authorize the trustees of school district number five, in the town af Turtle, Rock county, to levy a tax to build a school house;"

And,

No. 163, (A.) a bill concerning the proceedings in chancery;

In which the concurrence of the Senate is requested.

The Assembly have also concurred in the passage of

No. 84, (S.) a bill to appropriate to John T. Wilson, Seymour and Varney, Dean & Co., Timothy Robertson, James Helpin, H. A. Tenney, Henry C. Harker, and Thomas Dunn, the several sums therein mentioned;

With an amendment;

In which the concurrence of the Senate is requested.

The Assembly have also concurred in the amendments of the Senate, to

No. 121, (A.) a bill to divide the town of Dane, in Dane county.

Mr. Chase, as the committee to whom was referred the petition of James Armstrong and 170 others, reported as follows:

The committee to whom was referred the petition presented by the Hon. O. W. Norton, from James Armstrong and 170 others of his constituents, praying that the laws providing for the granting of license to retail ardent spirits, be repealed, resprectfully

REPORT:

That, having examined the subject, they are of opinion that selling ardent spirits is not a legitimate business for any man to follow, and should never be licensed by any authority whatever. Your committee reside in a town where no ardent spirits is retailed, and where none of the inhabitants use it as a beverage or desire its sale; and they are of opinion, that if the honorable Senator from Rock would labor to elevate public opinion, about the traffic and its effects, he would soon find less complaint from his constituents of the evils resulting from the traffic or the license laws. Your committee are also of opinion, that whether the traffic be a legitimate business or not, the license laws are wrong, and should be repealed. They therefore recommend that the bill now before the Senate on that subject, be passed.

W. CHASE.

On motion of Mr. Chase,

Senate adjourned until 10 o'clock to morrow morning.

SATURDAY, March 17, 1849.

Prayer by the Rev. Mr. Lord.

The reading of the journal of yesterday was dispensed with.

A message from the Governor:

To the Senate—

I have this day approved, signed and deposited in the office of the Secretary of State,

"An act entitled 'an act to provide for the publication of the revised statutes of this State.'"

NELSON DEWEY.

Executive Department,
March 17, 1849.

The message of the Assembly was taken up, and bills

No. 150, (A.) an act to authorize the trustees of school district number five, in the town of Turtle, Rock county, to levy a tax to build a school house;

And,

No. 163, (A.) a bill concerning the proceedings in chancery;

Which were severall read a first and second times.

Mr. Boyd, from the committee on enrolled bills, reported as correctly enrolled,

No. 79, (S.) a bill to incorporate the village of Watertown.

A message from the Assembly, by their chief clerk:

Mr. President:—

I am directed to present for your signature,

"An act to incorporate the village of Watertown;"

Which has been signed by the Speaker of the Assembly.

The Assembly have concurred in the passage of

No. 130, (S.) of the support of bastards;

No. 131, (S.) of inquests of the dead;

And,

No. 133, (S.) an act of the partition of lands owned by several persons, and on waste;

Without amendments.

Under rule,

The Senate resolved itself into a committee of the whole on Bills from revisers and compiling committee;

Mr. Merrell in the chair,

After some time spent therein, the committee rose, and by their chairman reported bills

No. 178, (A.) a bill concerning judgments and executions;

Without amendment;

And,

No. 118, (A.) a bill to fix the times for holding the terms of circuit courts;

And,

No. 163, (A.) a bill concerning proceedings in chancery;

With amendments to each.

And said bill

No. 178, (A.) was ordered to be read a third time.

The amendments of the committee of the whole to said bill No. 118, (A.),

Were concurred in;

And said bill No. 118, (A.) was,

On motion of Mr. Cothren,

Laid on the table.

The amendments of the committee of the whole to said bill No. 163, (A.),

Were concurred in;

And said bill No. 163, (A.) was ordered to be read a third time.

On motion of Mr. Chase,

All rules were suspended in relation to said bills No. 178, (A.) and No. 163, (A.), And they were severally ordered to be read a third time now;

And said bills

No. 178, (A.) a bill concerning judgments and executors;

And,

No. 163, (A.) a bill concerning proceedings in chancery;

Were severally read a third time, passed,

And their titles severally agreed to.

On motion of Mr. Botkin, bill

No. 65, (A.) a bill to legalize the proceedings of the collector in Addison,

Was taken up;

And being on its third reading,

Mr. Botkin moved to amend the said bill as follows:

Strike out all after the enacting clause, and insert as follows: "That the proceedings of the collector of taxes in the town of Addison, in the county of Washington, in collecting the taxes therein for the year A. D. 1848, are hereby declared legal;"

Which was agreed to.

On motion of Mr. Botkin,

All rules were suspended in relation to said bill No. 65, (A.),

And it was read a third time and passed.

Mr. Botkin moved to amend the title as follows;

"A bill to legalize the acts of the collector of the town of Addison, in Washington county;"

Which was agreed to;

And the title, as amended, was agreed to.

Mr. Boyd, from the committee on enrolled bills, reported as follows:

The committee on enrolled bills would report, that they have this day presented to the Governor for his approval,

"An act to amend an act to provide for levying and collecting State revenue;"

"An act to legalize the proceedings of a school meeting held in district number one, in the town of Waterloo, Jefferson county;"

"An act to change the name of the village of Haraszthy, in Sauk county, to Westfield;"

"An act to divide the town of Cottage Grove, in Dane county, into two separate towns;"

"An act to establish a State road through a part of Iowa, Richland, and Sauk counties;"

"An act to appropriate to Daniel Noble Johnson the sum therein named;"

"An act to incorporate the village of Watertown."

Mr. Williams, from the committee on incorporations, to whom said bill has been referred, reported back, bill

No. 126, [S.] a bill relating to proceedings against debtors by attachment;

With amendments;

And said bill No. 126, [S.] was read a second time.

Under rule,

Senate resolved itself into a committee of the whole on said bill No. 126, [S.];

Mr. Chase in the chair.

After some time spent therein, the committee rose, and by their chairman reported said bill No. 126, [S.],

With amendments;

And the question being on concurring in the amendments of the committee of the whole to said bill No. 126, [S.],

They were concurred in;

And said bill No. 126, [S.] was ordered to be engrossed and read a third time.

The President appointed Mr. Sholes as a member of the committee on enrollment of revisers' and compilers' bills,

In the absence of Mr. Norton.

The President laid before Senate the following communication from the Secretary of State:

Secretary's Office,
Madison, March 17, 1849.

Hon. JNO. E. HOLMES,
Lieutenant Governor:

Sir: A law has this day been deposited in my office, providing for the publication of the revised statutes, the seventh section of which directs the Secretary of State to furnish to the person appointed to prepare and superintend the publication of the statutes, accurate copies of the laws to be embodied in said work; and upon consultation with the committee on compilation, I learn that this section requires me to do work which would occupy the whole time of a good copyist for five and a half months copying and comparing fifty folios per day, which is the average number of a good clerk.

It must be perceived at once, that with the many onerous duties devolving upon the Secretary of State, under the various laws passed, that if he devotes his time wholly to copying these laws, the *legitimate* business of the office must be neglected.

I respectfully call the attention of the Legislature to this, in order that suitable provision may be made for the employment of necessary clerks in this office during the coming year. The work required to be performed in this office previous to the passage of the act above referred to, is as much as two officers can perform.

With great respect,
Your ob't serv't,
THOS. McHUGH.

On motion of Mr. Kinney,

Senate resolved itself into a committee of the whole on the general file of bills;

Mr. Kinney in the chair.

After some time spent therein, the committee rose, and by their chairman reported bills

No. 150, [A.] an act to authorize the trustees of school district number five, in the town of Turtle, Rock county, to levy a tax to build a school house;

Without amendment; and,

No. 109, [S.] a bill to pay Daniel Noble Johnson the sum therein named;

With an amendment;

And reported progress on the general file of bills,

And asked leave to sit again;

Which was granted. And,

The amendment of the committee of the whole to bill No. 109, [S.],

Being under consideration,

Mr. Williams moved further to amend the amendment, by striking out "five," and inserting "two;"

Which was agreed to; and said bill

No. 109, [S.] was ordered to be engrossed and read a third time.

No. 150, [A.] was ordered to be read a third time.

The President laid before Senate the following communication:

Madison, March 17, 1849.

Hon. JOHN E. HOLMES,

President of the Senate:

In compliance with a resolution of the Legislature, I herewith transmit to you my account for incidental printing, to be laid before the honorable body over which you preside. As I have but one file of copies of the work I have done, I have retained it in my possession as vouchers. Should a committee or members desire to examine the work specified in my bill, it will afford me pleasure to have them call at the office and make the examination.

Your obedient servant,

DAVID T. DICKSON,

State Printer.

And said communication and accompanying account, was,
On motion of Mr. Chase,
Referred to the committee on public printing.
On motion of Mr. Kinney,
Senate adjourned until half-past 2 o'clock P. M.

SAME DAY, HALF-PAST TWO O'CLOCK, P. M.

A message from the Governor:

To the Senate—

I have this day approved, signed and deposited in the office of the Secretary of State, acts of the following titles, to wit:

"An act to incorporate the village of Watertown;"

And,

"An act to establish a State road through a part of Iowa, Richland and Sauk counties."

NELSON DEWEY.

Executive Department,
March 17, 1849.

A message from the Assembly, by their chief clerk:

Mr. President:—

I am directed to inform the Senate that seats have been prepared for them in the Assembly hall, and that the Assembly are now ready to meet them in joint convention for the purpose of electing a member of the Board of Public Works, to fill the vacancy occasioned by the resignation of Mr. Curtis Reed.

On motion of Mr. Kinney,
Senate proceeded to the Assembly chamber.

In Convention of Both Houses,
Saturday, March 17, 1849.

The two houses of the Legislature met in joint convention for the purpose of electing a member of the Board of Public

Works, to fill the vacancy occasioned by the resignation of Mr. Curtis Reed.

On motion of Mr. Chase,

The convention proceeded to vote *viva voce* for member of the Board of Public Works;

Whereupon;

The roll having been called,

Those who voted for E. W. Drury, were

Messrs. Botkin, Boyd, Chase, Cothren, Gardner, Merrell and Murphy, Senators;

And,

Messrs. Barber, Burns, Chase, Colwell, Colley, Daugherty, Gillilan, Hastings, Hazard, Kelsey, Kerr, Leland, Lown, Martin, Noble, Page, Parkinson, Phelps, Pierce, Pike, Pope, Pratt, Roys, Thorp, Townsend, Warren, Willard, and Hobart (Speaker) of the Assembly—36.

Those who voted for William T. Ward, were

Mr. Sprague, Senator;

Messrs. Bowron, Clark, Cross, Flynn, Rickerson, Rockwell, Strong, Sugden, Wells, and White, of the Assembly—11.

Those who voted for Walter H. Besley, were

Mr. Williams, Senator;

And,

Messrs. Bird, W. H. Johnson, Kimball, King, and Nute, of the Assembly—6.

Those who voted for William Dickinson, were

Mr. Sholes, Senator;

And,

Messrs. Ayres and Meade, of the Assembly—3.

Those who voted for Benjamin H. Mooers, were

Messrs. Fagan, Keuhn, and Toland, of the Assembly—3.

Mr. Fisher, of the Senate, voted for Assa Kinney—1.

Mr. Kinney, of the Senate, voted for Mr. Fisher—1.

Mr. Crawford, of the Assembly, voted for Hiram Rust—1.

Mr. Hill, of the Assembly, voted for Warren Chase—1.

Mr. Solon Johnson, of the Assembly, voted for Wooster Harrison—1.

Mr. Juneau, of the Assembly, voted for Christopher Latham Sholes—1.

Mr. Reymert, of the Assembly, voted for —— Hallison—1.

Mr. Wasson, of the Assembly, voted for John Flynn, jr.—1.

Mr. Young, of the Assembly, voted for Lynville Duly—1.

The President announced the result of the vote as follows:

Whole number of votes, 68

Necessary to a choice 35

Erastus W. Drury received		36	votes.
William T. Ward	"	11	"
Walter H. Besley	"	6	"
William Dickinson	"	3	"
Benjamin H. Mooers	"	3	"
Asa Kinney	"	1	"
Mr. Fisher	"	1	"
Hiram Rust	"	1	"
Warren Chase	"	1	"
Wooster Harrison	"	1	"
C. Latham Sholes	"	1	"
—— Hallison	"	1	"
John Flynn, jr.	"	1	"
Lynville Duly	"	1	"

Whereupon,

Erastus W. Drury having received a majority of all the votes for that office, was declared duly elected a member of the Board of Public Works.

On motion of Mr. Cothren,

The convention then dissolved.

The Senate having returned to the Senate chamber,

The President announced the result of the vote of the joint convention.

On motion of Mr. Boyd,

Senate adjourned until 10 o'clock on Monday morning.

MONDAY, March 19, 1849.

The reading of the Journal of Saturday was dispensed with.

Mr. Fisher from the committee on engrossed bills, reported as correctly engrossed,

No. 109, [S.] a bill to pay to Daniel Noble Johnson the sum therein named.

And said bill being put on its third reading,

Mr. Botkin moved that said bill No. 109, [S.] be indefinitely postponed;

Which was not agreed to.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Botkin, Chase and Fisher—3.

Those who voted in the negative, were

Messrs. Boyd, Gardner, Goodell, Kinney, Murphy, Sprague and Williams—7.

On motion of Mr. Kinney, bill

No. 153, [A.] a bill supplementary to an act to authorize Thomas P. Williams and others to build a bridge,

Was taken up from the table and considered;

And Mr. Kinney moved to strike out the enacting clause;

Which was agreed to.

Mr. Gardner from the select committee to whom had been referred

No. 132, [S.] general provisions concerning courts, and the powers and duties of certain judicial officers,

Reported as follows:

Amend the 33d section by striking it out and inserting as follows:

Sec. 33. No Judge or Commissioner shall be allowed to demand or receive any fees or compensation for services, as such judge, commissioner or judicial officer except where fees or other compensation are expressly given by law, and no judge, commissioner or other judicial officer shall be allowed to give advice to parties litigant in any matter or suit pending before such judge or officer, or which he has reason to believe will be brought before him for decision, or draft or prepare any papers or other proceedings relating to any such matter or suit, except when expressly authorized by law.

And said bill was read a second time.

On motion of Mr. Gardner,

And under rule,

Senate resolved itself into a committee of the whole on said bill No. 132, (S.)

Mr. Botkin in the chair.

After some time spent therein the committee rose and by their chairman reported said bill back to Senate, with an amendment.

And the question being on concurring in the amendment of the committee of the whole to said bill

No. 132, [S.]

It was concurred in.

On motion of Mr. Gardner,

All rules were suspended in relation to said bill No. 132, [S] and it was ordered to a third reading now;

And said bill

No. 132, [S.] general provisions concerning courts, and the powers and duties of certain judicial officers,

Was read a third time, passed, and the title agreed to.

Mr. Cothren from the committee on compilation reported bills

No. 134, (S.) an act relative to informations, writs of Mandamus and prohibition;

And,

No. 135, (S.) an act relating to private nuisances and general provisions relating to actions concerning real estate;

Which were severally read a first, and second times, and were severally referred to a select committee, consisting of Messrs. Botkin, Williams and Gardner.

Mr. Boyd from the committee on enrolled bills, reported as correctly enrolled,

No. 110, (S.) a bill to amend an act entitled 'an act to incorporate the village of Madison';

No. 102, (S.) a bill to incorporate the first Christian Society in the town of Monroe in Green county;

No. 37, [S.] a bill to amend an act entitled 'an act to provide for the improvement of the Fox and Wisconsin rivers, and connecting the same by a canal,' approved Aug. 8, 1848,

No. 142, [A.] a bill to repeal an act entitled "an act to amend an act to organize school district number one, in Fond du Lac, for special purposes, approved February 10, 1847, and all other acts relating to the same subject;

No. 121, (A.) a bill to divide the town of Dane in Dane county;

No. 107, (A.) a bill to declare part of a State road to be a lawful highway;

No. 148, [A.] a bill to amend an act approved August 19, 1848, entitled "an act to organize the several towns therein named;"

No. 149, [A.] a bill to legalize a certain road therein named;

No. 88 (A.) a bill to authorize the recording of the town plat of the town of Belmont in Lafayette county;

No. 133, [A.] a bill in relation to certain school districts in Fond du Lac county;

No. 151, [A.] a bill for an act to organize a school district in the town of Sun Prairie, Dane county;

No. 100, [A.] a bill to organize the town of Buena Vista, in the county of Richland;

No. 94, (A.) a bill to amend an act to incorporate the Lawrence institute of Wisconsin;

No. 7, (A.) a memorial to the President of the United States asking that measures may be taken to prevent depredations by Indians;

And,

No. 123, (S.) a bill to provide for the publication of certain laws.

A message from the Assembly, by their chief clerk:

Mr. President; —

I am directed to present for your signature,

"An act to provide for the publication of certain laws;"

"Memorial to the President of the United States asking that measures may be taken to prevent depredations by Indians;"

"An act to amend an act entitled 'an act to incorporate the village of Madison;"

"An act to incorporate the first Christian Society in the town of Monroe in Green county;

"An act to amend an act entitled 'an act to provide for the improvement of the Fox and Wisconsin rivers, and connecting the same by a canal,' approved August 8, 1848;"

Which have been signed by the Speaker of the Assembly.

A message from the Assembly by their chief clerk:

Mr. President—

The Governor has informed the Assembly that he did, on the 17th inst., approve, sign and deposite in the office of the Secretary of State,

"An act to appropriate to Daniel Noble Johnson the sum therein named;"

"An act to divide the town of Cottage Grove, in Dane county, into two separate towns;"

"An act to change the name of the village of Haraszthy in Sauk county, to Westfield;" and,

"An act to legalize the proceedings of a school meeting held in district number 1 in the town of Waterloo, Jefferson county."

The Assembly have passed

No. 123, [A.] a bill to provide for building a bridge across the Milwaukee river, on the county line dividing the counties of Milwaukee and Washington;

No. 108, [A.] a bill to divide the town of Brighton in the county of Winnebago;

No. 140, [A.] a bill to authorize the construction of a bridge across Fox river;

No. 141, [A.] a bill to authorize the construction of a bridge across Fox river;

No. 170, [A.] a bill to alter a road in Winnebago county;

No. 172, (A.) a bill to change the name of the town of Lexington, and village of Dartford, and to vacate the alleys in said village;

No. 173, (A.) a bill to alter the boundaries of certain towns in the county of Winnebago;

No. 179, (A.) a bill to organize the town of Clayton;

And,

No. 8, (A.) Joint resolution relative to a proposed amendment of the constitution of the United States concerning Post Masters;

In all of which the concurrence of the Senate is requested.

The Assembly have concurred in the passage of

No. 125, (S.) a bill to change the name of the first Presbyterian Society of Whitewater and vicinity, and to confer certain powers on said society,

Without amendment.

Also in the passage of

No. 3, (S.) joint resolutions relating to public lands,

With an amendment;

In which the concurrence of the Senate is requested.

I am directed to present for your signature,

"An act to amend an act entitled 'an act to incorporate the Lawrence Institute of Wisconsin;"

"An act to organize a school district in the town of Sun Prairie, in Dane county;"

"An act in relation to certain school districts, in Fond du Lac county;"

"An act to declare part of a State road to be a lawful highway;"

"An act to repeal an act entitled 'an act to amend an act entitled 'an act to organize school district number one, in Fond du Lac, for special purposes, approved February 10th 1847,' and all other acts relating to the same subject;"

"An act legalize a certain road therein named;"

"An act to authorize the recording of the town plat of Belmont, in Lafayette county;"

"An act to organize the town of Buena Vista, in the county of Richland;"

"An act to divide the town of Dane in Dane county into two separate towns;"

And,

"An act to amend an act approved August 19th, 1848, entitled 'an act to organize the several towns therein named;"

Which have been signed by the Speaker of the Assembly.

The Assembly have concurred in the passage of

No. 123, (S.) a bill to provide for the publication of certain laws,

Without amendment;

And have concurred in the amendment of the Senate to

No. 163, (A.) a bill concerning the proceedings in chancery.

The Assembly have also passed

No. 161, (A.) a bill for the relief of persons confined in jails on civil process;

No. 164, (A.) a bill relative to seals;

No. 189, (A.) a bill concerning county surveyors;

No. 190, (A.) a bill in relation to probate courts;

And,

No. 191, (A.) a bill in relation to medical societies and for the promotion of medical science;

In which the concurrence of the Senate is requested.

The Assembly have adopted the following resolution in which the concurrence of the Senate is requested, to wit:

Resolved, by the Senate and Assembly, That the Secretary of State be authorized and directed to credit Sheboygan county the sum of one hundred and eighty-eight 44.100 dollars, that being the amount of error in footing the assessment roll by the clerk of said county, as appears by the corrected return from said clerk.

The Assembly have passed

No. 195, (A.) a bill to organize county courts;

In which the concurrence of the Senate is requested.

And the said message having been taken up,

The following bills,

No. 108, A., No. 123, A., No. 140, A., No. 141, A., No. 170, A., No. 172, A., No. 173, A., No. 179, A., No. 161, A., No. 164, A., No. 189, A., No. 190, A., and 191, A., and memorial No. 8, A.,

Were severally read a first and second times.

On motion of Mr. Sprague,

Said bill No. 191, A.,

Was referred to a select committee of two.

On motion of Mr. Botkin,

Said bill No. 141, A.,

Was referred to a select committee, consisting of Messrs. Botkin, Chase and Goodell.

And the question being on concurring in the amendment of Assembly to

No. 3, (S.) joint resolutions relating to public lands;

It was concurred in.

On motion of Mr. Kinney,

All rules were suspended,

And the Senate resolved itself into a committee of the whole on the general file of bills;

Mr. Kinney in the chair.

After some time spent therein the committee rose and by their chairman reported the following bills:

No. 161, (A.) a bill for the relief of persons confined in jail on civil process;

No. 164, (A.) a bill relative to seals;

No. 190, (A.) a bill in relation to probate courts;

No. 108, (A.) a bill to divide the town of Brighton in the county of Winnebago;

No. 123, (A.) a bill to provide for building a bridge across the Milwaukee river on the county line dividing the counties of Milwaukee and Washington;

No. 140, (A.) a bill to authorize the construction of a bridge across Fox river;

No. 170, (A.) a bill to alter a road in Winnebago county;

No. 172, (A.) a bill to change the name of the town of Lexington and village of Dartford, and to vacate the alleys in said village;

No. 173, [A.] a bill to alter the boundaries of certain towns in the county of Marquette;

No. 179, [A.] a bill to organize the town of Clayton;

And,

No. 8, [A.] joint resolution relative to a proposed amendment to the constitution of the United States concerning Postmasters;

Without amendments;

And bill,

No. 189, [A.] a bill concerning county surveyors;

With an amendment:

And reported progress on the general file of bills,

And ask leave to sit again;

Which was granted.

And the question being on concurring in the amendment of the committee of the whole to said bill No. 189, [A.],

It was concurred in;

And said bill No. 189, [A.] was,

On motion of Mr. Kinney,

Referred to the committee on incorporations.

And said bill No. 123, [A.] was,

On motion of Mr. Kinney,

Referred to the committee on incorporations.

And said bill No. 172, [A.] was,

On motion of Mr. Chase,

Referred to the committee on incorporations.

On motion of Mr. Williams,

All rules were suspended in relation to the following bills:

And said bills, to wit,

No. 108 A., No. 161 A., No. 164 A., No. 170 A., No. 173 A., No. 179 A., and No. 190 A.,

Were severally ordered to their third reading now;

And said bills were severally read a third time, passed,

And their titles severally agreed to.

And the following resolution, being put upon its third reading,

No. 8, [A.] joint resolution relative to a proposed amendment of the constitution of the United States concerning postmasters.

Mr. Fisher moved to amend the same by adding as follows:

After "postmasters," add, "and all military and naval officers;"

Which was not agreed to;

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Botkin, Cothren, Fisher, Murphy and Williams—5.

Those who voted in the negative, were

Messrs. Boyd, Chase, Gardner, Goodell, Kinney and Sprague —6.

And the said resolution No. 8, (A.) was passed;

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Botkin, Boyd, Chase, Cothren, Gardner, Goodell and Kinney—7.

Those who voted in the negative, were

Messrs. Fisher, Murphy, Sprague and Williams—4.

The title of the resolution was agreed to.

On motion of Mr. Goodell, said bill

No. 140, (A.) a bill to authorize the construction of a bridge across Fox river,

Was referred to the select committee to which had been referred bill

No. 141, (A.) a bill to authorize the construction of a bridge across Fox river.

On motion of Mr. Chase,

Senate adjourned until 3 o'clock this afternoon.

SAME DAY 3 O'CLOCK, P. M.

The President announced Messrs. Sprague and Chase as the select committee on bill No. 191, (A.)

The message of the Assembly was taken up,

And the following bill,

No. 195, (A.) a bill to organize county courts,

Was read a first and second times.

On motion of Mr. Cothren,

Rules were suspended, and Senate resolved itself into a committee of the whole on said bill

No. 195, (A.) a bill to organize county courts;

After some time spent therein, the committee rose, and by their chairman reported back said bill No. 195, (A.),

Without amendment.

And said bill No. 195, (A.) was ordered to a third reading.

On motion of Mr. Cothren,

Rules were suspended, and said bill

No. 195, (S.) was read a third time, passed,

And the title agreed to.

The following communication was received from the commissioners to revise the laws:

Hon. John E. Holmes,

Lieutenant Governor, &c.:

Sir: We have the honor to submit herewith, additional chapters of our report as commissioners to revise the laws.

You will please lay the same before the Legislature.

Very respectfully yours, &c.,

C. M. BAKER,

Madison, March 19, 1849. M. FRANK.

Accompanying said communication, were

No. 136, (S.) of the incorporation of cemetery associations;

No. 137, (S.) of the relief and support of the poor.

And said bills were severally read a first and second times.

Mr. Botkin, from the select committee to whom had been referred bills

No. 140, (A.) a bill to authorize the construction of a bridge across Fox river;

And,

No. 141, (A.) a bill to authorize the construction of a bridge across Fox river;

Reported back said bills

No. 140, (A.) without amendment;

And,

No. 141, (A.) with amendments;

And said bill No. 141, (A.) was read a second time.

Mr. Boyd, from the committee on enrolled bills, made the following report:

The committee on enrolled bills would report, that they have this day presented to the Governor for his approval,

"An act to divide the town of Dane, in the county of Dane, into two separate towns;"

"An act to organize the town of Buena Vista, in the county of Richland;"

"An act to authorise the recording of the town plat of Belmont, in Lafayette county;"

"An act to legalize a certain road therein named;"

"An act to repeal an act entitled 'an act to organize school district No. 1, in Fond du Lac, for special purposes,' approved Feb. 10, 1847, and all other acts relating to the same subject;"

"An act to declare part of a State road to be a lawful highway;"

"An act in relation to certain school districts in Fond du Lac county;"

"An act to organize a school district in the town of Sun Prairie, in Dane county;"

"An act to amend an act entitled 'an act to incorporate the Lawrence Institute of Wisconsin;'"

"An act to amend an act approved August 19, 1848, entitled 'an act to organize the several towns therein named;'"

"Memorial to the President of the United States, asking that measures may be taken to prevent depredations by Indians;"

"An act to provide for the publication of certain laws;"

"An act to amend an act entitled 'an act to incorporate village of Madison;"

"An act to incorporate the First Christian Society, in the town of Monroe, in Green county;"

And,

"An act to amend an act entitled 'an act to provide for the improvement of the Fox and Wisconsin rivers, and connecting the same by a canal, approved August 8, 1848."

On motion of Mr. Kinney,

Senate adjourned until 10 o'clock to-morrow morning.

TUESDAY, March 20, 1849.

Prayer by the Rev. Mr. Lord.

On motion of Mr. Murphy,

The reading of the journal of yesterday was dispensed with.

On motion of Mr. Kinney,

And under rule,

Senate resolved itself into a committee of the whole on reports of revisors;

Mr. Merrell in the chair.

After some time spent therein, the committee rose, and by their chairman reported bills

No. 137, (S.) of the relief and support of the poor;

Without amendment;

And,

No. 136, (S.) of the incorporation of cemetery associations;

With amendments.

And the question being on concurring in the amendments of the committee of the whole to said bill No. 136, (S.),

They were not concurred in.

Mr. Smith moved to further amend said bill, by striking out the word "twenty-five;"

Which was agreed to.

Mr. Smith moved to fill the blank with the word "eighty;"

Which was not agreed to.

Mr. Smith moved to fill the blank with the word "fifty;"

Which was not agreed to.

Mr. Botkin moved to fill the blank with the word "forty;"

Which was agreed to.

And said bill No. 136, (S.) was ordered to be engrossed and read a third time.

On motion of Mr. Gardner,

All rules were suspended in relation to said bill

No. 136, (S.) and it was ordered to a third reading now;

And said bill

No. 136, (S.) of the incorporation of cemetery associations,

Was read a third time, passed,

And the title agreed to.

On motion of Mr. Williams, bill

No. 137, (S.) of the relief and support of the poor,

Was referred to the committee on town and county organization.

A message from the Assembly, by their chief clerk:

Mr. President—

The Assembly have concurred in the amendments of the Senate, to

No. 65, (A.) a bill to legalize the proceedings of the collector of Addison;

And have adopted the following resolution, in which the concurrence of the Senate is requested, to wit:

Resolved, (the Senate concurring,) that the joint committee on legislative expenditures be instructed to report an appropriation bill for the current expenses of the present Legislature.

The Assembly have concurred in the passage of

No. 115, (S.) a bill to change the name of the town of Juneau, in the county of Dodge; and,

No. 121, (S.) a bill to declare certain roads in Rock county lawful highways;

Without amendments.

And have passed

No. 131, (A.) a bill to organize the town of La Prairie, in the county of Rock;

No. 156, (A.) a bill to authorize the aldermen of the first ward of the city of Milwaukee to levy a special tax to raise money for the purpose of erecting a market-house in said ward;

No. 166, (A.) a bill to authorize the issuing of patents for canal lands sold and not patented, and to provide for the payment and discharge of the mortgages thereon;

No. 176, (A.) a bill relating to the several counties in this State;

And,

No. 200, (A.) a bill to authorize the construction of a bridge across Nepasink lake;

In all of which the concurrence of the Senate is requested requested.

I am directed to present for your signature,

"An act to alter a certain road in Winnebago county;"

"An act to legalize the acts of the collector in the town of Addison, in Washington county;"

"An act to organize the towns of Primrose and Perry, in Dane county;"

"An act to organize the town of Clayton, in Winnebago county;"

"An act to change the name of the First Presbyterian Society, of Whitewater and vicinity, and to confer certain powers on said society;"

"Joint resolutions relating to the public lands;" and

"Joint resolution relative to a proposed amendment of the constitution of the United States, concerning postmasters;"

Which have been signed by the Speaker of the Assembly.

Mr. Boyd, from the committee on enrolled bills, reported as follows:

The committee on enrolled bills would report,

No. 65, (A.) a bill to legalize the acts of the collector of the town of Addison, in Washington county;

No. 8, (A.) joint resolutions relative a proposed amendment to the constitution of the United States, concerning postmasters;

No. 179, (A.) a bill to organize the town of Clayton;

No. [illegible], (A.) a bill to organize the towns of Primrose and Perry, in Dane county;

No. 170, (A.) a bill to alter a road in Winnebago county;

No. 2, (S.) joint resolutions relating to the public lands;

No. 125, [S.] a bill to change the name of the First Presbyterian Society of Whitewater and vicinity, and to confer certain powers on said society;

As correctly enrolled.

Mr. Murphy, from the select committee, to whom was referred bill

No. 93, [A.] a bill to authorize the electors of Lafayette county to vote on the removal of the county seat,

Reported the same back, with sundry amendments;

And said bill No. 93, [A.] was read a second time.

Mr. Fisher, from the committee on engrossed bills, reported as correctly engrossed, bill

No. 126, [S.] a bill relating to proceedings against debtors, by attachment.

Mr. Botkin, from the committee on compilation, reported bill

No. 138, [S.] a bill concerning navigable rivers;

Which was read a first and second times.

Mr. Chase, from the committee on expiration and re-enactment of laws, to whom had been referred bill

No. 127, [A.] a bill to amend an act entitled "an act to provide for the improvement of the Fox and Wisconsin rivers, and connecting the same by a canal, approved August 8, 1848,"

Reported the said bill back, with a recommendation that it lie on the table;

Which report and recommendation was adopted.

Mr. Sprague, from the committee to whom was referred bill

No. 191, [A.] a bill in relation to medical societies, and for the promotion of medical science,

Reported said bill back, without amendment, and recommend its passage.

Mr. Fisher, from the committee on roads and bridges, to whom had been referred bill

No. 134, [A.] bill to legalize the acts of certain town officers of the town of Spring Prairie, and to declare a road therein described, a lawful highway,

Reported back said bill, with an amendment;

And said bill No. 134, [A.] was read a second time.

Mr. Goodell, from the committee of conference on the disagreeing vote of the Senate and Assembly on bill

No. 99, [S.] a bill in relation to highways and bridges,

Reported as follows:

The committee of conference on the disagreeing vote of Senate and Asssembly to bill No. 99, (Senate,) respectfully report that they have had the same under consideration, and recommend that the Senate recede from its non-concurring vote of the thirteenth and fourteenth amendments of the Assembly to said bill, and that the Senate concur in said amendments.

All of which is respectfully submitted.

L. GOODELL,
JAMES FISHER,
Of the Senate.
JOHN M. WELLS,
HERMON S. THORP,
Of the Assembly.

Which report was considered and adopted.

The messages of the Assembly were taken up,

And the following bills,

No. 131, [A.] a bill to organize the town of La Prairie, in the county of Rock;

No. 156, [A.] a bill to authorize the aldermen of the first ward of the city of Milwaukee to levy a special tax, to raise money for the purpose of erecting a market-house in said ward;

No. 166, [A.] a bill to authorize the issuing of patents for canal lands sold and not patented, and to provide for the payment and discharge of the mortgages thereon;

No. 176, [A.] a bill relating to the several counties of this State;

And,

No. 200, [A.] a bill to authorize the construction of a bridge across Nepaslink lake;

Were severally read a first and second times.

The following resolution being under consideration,

Resolved, (the Senate concurring,) that the joint committee on legislative expenditure be instructed to report an appropriation bill for the current expenses of the present Legislature.

Mr. Botkin moved to amend the same, by adding as follows:

"And that they report a bill providing for a loan to pay the same;

Which was agreed to;

And the resolution, as amended, was adopted.

The following resolution,

Resolved, by the Senate and Assembly, that the Secretary of State be authorized and directed to credit Sheboygan county the sum of $133 44-100, that being the amount of error in footing the assessment roll, by the clerk of said county, as appears by the corrected return from said clerk,

Was considered and adopted;

And the ayes and noes having been called,

Those who voted in the affirmative, were

Messsrs. Botkin, Boyd, Chase, Fisher, Gardner, Goodell, Horn, Kinney, Merrell, Murphy, Sprague and Williams—12.

None in the negative.

The following bills,

No. 109, [S.] a bill to pay to Daniel Noble Johnson the sum therein named,

Was read a third time and passed;

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Boyd, Gardner, Goodell, Kinney, Merrell, Murphy, Smith, Sprague and Williams—9.

Those who voted in the negative, were

Messrs. Botkin, Chase, Fisher and Horn—4.

The title of the bill was agreed to.

No. 126, [S.] a bill relating to proceedings against debtors, by attachment,

Was read a third time, passed,

And title agreed to.

The amendment of Assembly to bill

No. 84, [S.] a bill to appropriate to John T. Wilson, Seymour & Narney, Dean & Co., Timothy Robertson, James Helpin, H. A. Tenney, Henry C. Parker, and Thomas Dunn, the several sums therein mentioned,

Was considered and concurred in;

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Botkin, Chase, Fisher, Gardner, Goodell, Kinney, Merrell, Murphy and Williams—9.

Those who voted in the negative, were

Messrs. Boyd, Horn, Smith and Sprague—4.

No. 150, [A.] an act to authorize the trustees of school district number five, in the town of Turtle, Rock county, to levy a tax to build a school house,

Was read a third time and passed;

And the ayes and noes being called for,

Those who voted in the affirmative, were

Messrs. Botkin, Boyd, Chase, Fisher, Gardner, Horn, Kinney, Merrell, Murphy, Smith, Sprague and Williams—12.

None in the negative.

On motion of Mr. Fisher, bill

No. 104, [S.] a bill to appropriate the several sums therein named,

Was taken from the table;

And,

The question being on ordering said bill No. 104, [S.] to be engrossed and read a third time, Mr. Fisher moved to amend said bill, by adding a new section, as follows:—

"Section 12. To Lyman H. Seaver the sum of ten dollars, that being the balance due from him for services as Sergeant-at-arms to the Senate during its last session;"

Which was agreed to;

And said bill No. 104, [S.] was ordered to be engrossed and read a third time.

Mr. Williams, from the committee on incorporations, to whom said bills had been referred,

Reported back, bills

No. 189, [A.] a bill concerning county surveyors,

Without amendment, and recommend its passage;

And,

No. 172, [A.] a bill to change the name of the town of Lexington, and village of Dartford, and to vacate the alleys in said village,

Reported back said bill, with the three following bills as substitutes:

"A bill to change the name of the town of Lexington, in the county of Marquette;"

"A bill to change the name of the village of Dartford, in the county of Marquette;"

And,

"A bill to vacate a part of the plat of the village of Dartford, in the county of Marquette;"

And said bill No. 172, [A.] was read a second time.

On motion of Mr. Kinney, bill

No. 100, [S.] a bill to aid in the construction of railroads and plank roads,

Was taken from the table and returned to the general file.

On motion of Mr. Botkin,

The report of the judiciary committee in the case of the contested seat of the Hon. Samuel Goodell,

Was taken up, and being under consideration, A call of the house was ordered;

And the roll having been called,

Messrs. Chase and Gardner were reported absent.

On motion of Mr. Botkin,

Further proceedings under the call were suspended.

Mr. Botkin moved to lay the resolution on the table until Thursday.

Mr. Horn moved to lay the resolution on the table;

Which was not agreed to.

Mr. Botkin, from the select committee, to whom had been referred bills

No. 134, [S.] an act relative to informations, writs of mandamus and prohibition;

And,

No. 135, [S.] an act relating to private nuisances, and general provisions relating to actions concerning real estate;

Reported as follows:

The select committee to whom was referred bills No. 134 and No. 135, from the committee on compilation, (Senate file,) on a careful examination of said bills and their provisions, have instructed me to report them back to the Senate, and recommend their passage, with an amendment to No. 135.

A. BOTKIN.

And said bill No. 135, [S.] was read a second time.

Mr. Botkin offered the following resolution:

Resolved, by the Senate and Assembly, that the daily slips be dispensed with hereafter, and that there be no more slips printed during this session;

Which was considered and adopted.

A message from the Assembly, by their chief clerk:

***Mr. President*:—**

The Assembly have passed

No. 194, [A.] a bill to organize the town of Grand Chute, in Brown county;

No. 201, [A.] a bill to authorize the laying out of a certain road in the town of Madison;

And,

No. 202, [A.] a bill to provide for laying out a State road;

In which the concurrence of Assembly is requested.

And said message having been taken up and considered, bills

No. 194 A., No. 201 A., and 202 A.,

Were severally read a first and second times.

On motion of Mr. Horn,

All rules were suspended in relation to bill

No. 194, [A.] and it was ordered to a third reading now;

And said bill

No. 194, [A.] a bill to organize the town of Grand Chute, in Brown county,

Was read a third time, passed,

And the title agreed to.

On motion of Mr. Botkin,

All rules were suspended in relation to bill

No. 201, [A.] and it was ordered to a third reading now;

And said bill

No. 201, [A.] a bill to authorize the laying out of a certain road in the town of Madison,

Was read a third time, passed,

And the title agreed to.

On motion of Mr. Gardner,

Senate adjourned until 10 o'clock to-morrow morning.

Wednesday, March 21, 1849.

Prayer by the Rev. Mr. Penman.

The reading of the journal of yesterday was dispensed with.

Mr. Kinney from the committee on town and county organization to whom had been referred bill

No. 137, (S.) of the relief and support of the poor,

Reported the said bill back without amendment.

On motion of Mr. Kinney,

And under rule,

Senate resolved itself into a committee of the whole, on bills from revisers and compiling committee;

Mr. Williams in the chair.

After some time spent therein, the committee rose and by their chairman reported bills

No. 134, (S.) an act relative to informations, writs of mandamus and prohibition;

No. 138, (S.) a bill concerning navigable rivers;

No. 176, (A.) a bill relating to the several counties of this State;

No. 189, (A.) a bill concerning county surveyors;

And,

No. 191, (A.) a bill in relation to medical societies and for the promotion of medical science;

Without amendments.

And also reported bills

No. 135, [S.] an act relating to private nuisances and general provisions relating to actions concerning real estate;

And,

No. 139, [S.] of the incorporation of companies to construct plank and turnpike roads;

With amendments to each.

And the question being on concurring in the amendment of the committee of the whole to said bill No. 135, [S.]

It was concurred in.

And said bill No. 135, [S.]

Was ordered to be engrossed and read a third time.

And the question being on concurring in the amendments of the committee of the whole to said bill No. 139, [S.]

They were concurred in.

And Mr. Smith moved to further amend said bill as follows:

Add to section 3, the following:

"And no stockholder shall be entitled to vote for directors of any company of which he may be a member, or for any other purpose, unless all assessments due on his stock shall be paid before such election."

Which was agreed to.

Mr. Botkin moved to further amend said bill as follows:

Add the following as a new section:

Section —. That no company or corporation shall, under any pretence whatever, exercise any banking power under a penalty of forfeiture of their rights under the provisions of this act.

Which was agreed to.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Botkin, Boyd, Fisher, Goodell, Merrell, Smith, Sprague, and Williams—8.

Those who voted in the negative, were

Messrs. Chase, Gardner, Horn, Murphy, and Sholes—5.

And said bill No. 139, [S.]

Was ordered to be engrossed and read a third time.

The following bills,

No. 134. [S.] and No. 138, [S.]

Were severally ordered to be engrossed and read a third time.

And No. 176, [A.] No. 189, [A.] and No. 191, [A.]

Were severally ordered to a third reading.

On motion of Mr. Chase,

The following bill, No. 47, [S.] was taken from the table and considered:

And the question being on concurring in the amendments of Assembly to said bill No. 47, S.

They were concurred in.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Botkin, Boyd, Chase, Goodell, Merrell, Sholes, Smith and Sprague—8.

Those who voted in the negative, were

Messrs. Fisher, Gardner, Horn, Murphy and Williams—5.

A message from the Assembly, by their chief clerk:

Mr. President:—

I am directed to inform you that the assembly have adopted the report recommended by the committee of conference on the disagreeing vote of the Senate and Assembly on

No. 90, [S.] a bill in relation to highways and bridges;

And have adopted the following resolution in which the concurrence of the Senate is requested, to wit:

Resolved, (the Senate concurring,) That the printing of the daily slips be dispensed with for the remainder of the session.

The Assembly have passed

No. 27, [A.] a bill to provide for the enrollment of the militia;

No. 162, [A.] a bill on mechanics and laborers' lien;

No. 147, [A.] a bill to provide for the sale of the school section in the city of Racine;

No. 183, [A.] a bill to provide for recording contracts relating to lands;

No. 187, [A.] a bill regulating the admission of attorneys at law;

No. 196, [A.] a bill to enable the town of Janesville in the county of Rock to apply monies raised from licences granted for the sale of spirituous liquors in said town to the support of the poor;

And,

No. 204, [A.] a bill to vacate a part of Johnson street in the village of Port Washington;

In all of which the concurrence of the Senate is requested.

The Assembly have concurred in the amendment of the Senate to resolution relative to instructions to the committee on legislative expenditures.

And have concurred in the adoption of the following resolution, to wit:

Resolved, by the Senate and Assembly, That the daily slips be dispensed with hereafter, and that there be no more slips printed during this session.

A message from the Governor:

To the Senate—

Acts entitled

"An act to to incorporate the first Christian Society in the town of Monroe in Green county;"

And

"An act to amend an act entitled 'an act to incorporate the village of Madison;

Were, on the twentieth inst., approved and signed by me and deposited in the office of the Secretary of State.

"An act to change the name of the first Presbyterian Society of Whitewater and vicinity, and to confer certain powers on said Society;"

And

"Joint resolutions relating to the public lands;"

Have been signed and approved by me, and deposited as aforesaid.

NELSON DEWEY.

Executive Department,
March 21, 1849.

Mr. Sholes from the joint committee on enrollment reported as follows:

The joint committee on enrolled bill reported by the revisers and the committee on compilation of the laws, would report, that they have examined the following named bills, and find them correctly enrolled, viz:

No. 98, [A.] a bill in relation to the law of roads and the regulation of public carriages;

No. 128, [S.] a bill for the relief of insolvent debtors;

No. 146, [A.] a bill relative to the recording of town plats;

No. 131, [S.] a bill relating to inquests of the dead;

No. 130, [S.] a bill in relation to the support of bastards.

C. LATHAM SHOLES,
Chairman.

Mr. Boyd from the committee on enrolled bills, reported as follows:

The committee on enrolled bills would report that they did, on yesterday, present to the Governor for his approval,

"An act to change the name of the first Presbyterian Society of Whitewater and vicinity and to confer certain powers on said Society;"

"Joint resolutions relating to the sale of the public lands;"

"Joint resolutions relative to a proposed amendment to the constitution of the United States concerning Postmasters;"

"An act to organize the town of Clayton in Winnebago county;"

"An act to organize the town of Primrose and Perry in Dane county;"

"An act to legalize the acts of the collector of the town of Addison in Washington county;"

"An act to alter a certain road in Winnebago county."

On motion of Mr. Horn,

Senate adjourned until 3 o'clock this afternoon.

SAME DAY 3 O'CLOCK, P. M.

Mr. Botkin presented the remonstrance of J. W. Cutting and 23 others against a certain road;

Which was referred to the committee on roads and bridges.

Mr. Botkin presented the account of John Catlin against the State;

Which was referred to the committee on claims.

Mr. Merrell presented the petition of R. M. Miller and 64 other citizens of Iowa and Grant counties, for the legislature to charter a company to make a rail road from Milwaukee to the Mississippi river;

Which was referred to the committee on internal improvements.

Mr. Merrell from the committee on engrossed bills, reported as correctly engrossed, bills

No. 139, (S.) of the incorporation of companies to construct plank and turnpike roads;

No. 135, (S.) an act relating to private nuisances and general provisions relating to actions concerning real estate;

No. 134, (S.) an act relative to informations, writs of Mandamus and prohibition;

And,

No. 138, (S.) a bill concerning navigable rivers.

Mr. Chase moved to take up the report and resolutions, reported by the committee on the Judiciary, on the contested seat of the Hon. Lemuel Goodell, as Senator from the first Senatorial district.

Mr. Horn moved a call of the House.

And the roll having been called,

Messrs. Cothren, Fisher, Sholes and Sprague, were reported absent.

The absentees having appeared in their seats,

On motion of Mr. Horn,

Further proceedings in the call were suspended.

And the said report and resolutions being under consideration, and the question being on the adoption of the first resolution, to wit:

Resolved, That the Hon. Lemuel Goodell is legally entitled to retain the seat which he now occupies as a member of this body;

It was adopted.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Boyd, Chase, Cothren, Fisher, Gardner, Horn, Kinney, Murphy, Sholes and Sprague—10.

Those who voted in the negative, were

Messrs. Botkin, Merrell, Smith and Williams—4.

And the question being on the adoption of the second resolution, viz:

Resolved, That the petition of H. E. Eastman be and the same is hereby denied,

It was adopted.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Botkin, Boyd, Chase, Cothren, Fisher, Gardner, Horn, Kinney, Merrell, Murphy, Sholes, Smith, Sprague and Williams—14.

None in the negative.

Mr. Fisher from the committee on engrossed bills, reported as correctly engrossed, bill

No. 104, (S.) a bill to appropriate the several sums therein named.

Mr. Botkin offered the following resolution:

Resolved, by the Senate and Assembly, That the joint committee consisting of one member from each house, appointed in pursuance of a resolution introduced into the Senate on the 25th inst., to examine all enrolled bills reported by the Revisers or the committee on Compilation, after the same shall have been examined by the enrolling committee, for the purpose of ascertaining whether or not there are any wrong references in the same, and whether the different bills and different parts of the same bill are consistent with each other or not, be and they are hereby authorized to correct any wrong references or slight defects where said corrections do not involve any principle or in any manner change the character of the bill, but are necessary to make the bill consistent with itself.

Which was considered and adopted.

Mr. Botkin from the committee on State affairs to whom had been referred the petition of John S. Walker, Charles Wilson and 103 others in relation to a rail road from Lake Michigan to the Mississippi river, reported as follows:

The committee on State affairs to whom was referred the petition of 104 citizens of the Valley of Blackearth Creek in the counties of Dane and Iowa, in relation to the location of a rail road from the Lake to the Mississippi river, have had the subject under consideration and have instructed me to

REPORT:

That they are aware of the vast importance of a rail road from the western shore of Lake Michigan to the Mississippi river and the great benefits which must necessarily result to the State as well as to the citizens generally in the accomplishment of so great a work. That part of your committee is well acquainted with the whole length of the Valley of Blackearth Creek, extending from the western side of the Fourth Lake, expanding into a rich and fertile valley of highly cultivated and productive country, not surpassed by any section of country in the State, with a large stream running through its whole length to its junction with the Wisconsin river, affording a great abundance of hydraulic power for all necessary purposes.

While your committee would recommend that the route of said rail road be left to the company who may undertake its construction, they have little doubt that the company who may construct said road will find the most available route down the Valley of Blackearth Creek to Arena, thence to the Valley of the Wisconsin, there to terminate with a junction of the navigation of the Wisconsin, or continue the road down the Valley of the Wisconsin to the Mississippi river. All of which is respectfully submitted.

A. BOTKIN,
Chairman.

March 21st, 1849.

The message of the Assembly was taken up, and the following bills,

No. 27, [A.] a bill to provide for the enrollment of the militia;

No. 147, [A.] a bill to provide for the sale of the school section in the city of Racine;

No. 162, [A.] a bill on mechanics and laborers' lien;

No. 183, [A.] a bill to provide for recording contracts relating to lands;

No. 187, [A.] a bill regulating the admission of attorneys at law;

No. 196, [A.] a bill to enable the town of Janesville in the county of Rock to apply monies raised from licences granted for the sale of spirituous liquors in said town to the support of the poor;

No. 204, [A.] a bill to vacate a part of Johnson street in the village of Port Washington;

Were severally read a first and second times.

On motion of Mr. Horn,

The following resolution,

Resolved, (the Senate concurring,) that the printing of the daily slips be dispensed with for the remainder of the session,

Was laid on the table.

No. 104, (S.) a bill to appropriate the several sums therein named,

Being put on its third reading,

Mr. Kinney asked the unanimous consent of Senate to offer the following amendments as a new section:

Section 13. That the sum of one hundred and eighty dollars be and the same is hereby appropriated to Phillip Aldrich for sixty days service as commissioner in locating State lands; said appropriation to be paid by the State Treasurer on the presentation of a certificate from the Governor that said service has been performed and returns made agreeably to the provisions of law.

Which was agreed to;

And the said amendment was agreed to;

And said bill No. 104, (S.)

Was read a third time and passed.

And the ayes and Noes having been called,

Those who voted in the affirmative, were

Messrs. Botkin, Boyd, Chase, Fisher, Gardner, Goodell, Horn, Kinney, Merrell, Murphy, Sholes, Smith, Sprague and Williams—14.

None in the negative.

The title of said bill was agreed to.

The following bills,

No. 134, (S.) an act relative to informations, writs of mandamus and prohibition;

No. 138, (S.) a bill concerning navigable rivers;

No. 176, (A.) a bill relating to the several counties of this State;

And,

No. 191, (A.) a bill in relation to medical societies and for the promotion of medical science;

Were severally read a third time, passed, and their titles severally agreed to.

No. 137, (S.) of the relief and support of the poor,

Was read a third time and passed.

And the ayes and noes having been called,

Those who voted in the affirmative, were

Messrs. Botkin, Boyd, Chase, Gardner, Goodell, Merrell, Murphy, Sholes, Smith and Williams—9.

Those who voted in the negative, were

Messrs. Fisher, Horn, Kinney and Sprague—4.

The title of the bill was agreed to.

No. 139, [S.] of the incorporation of companies to construct plank and turnpike roads;

Was read a third time and passed;

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messsrs. Botkin, Boyd, Fisher, Gardner, Goodell, Merrell, Murphy, Smith Sprague and Williams—10.

Those who voted in the negative, were

Messrs. Chase, Horn, Kinney and Sholes—4.

The title of the bill was agreed to.

No. 189, (A.) a bill concerning county surveyors;

Was read a third time and passed;

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Botkin, Boyd, Gardner, Horn, Kinney, Merrell, Murphy, Smith, Sprague and Williams—9.

Those who voted in the negative, were

Messrs. Chase, Fisher, Goodell and Sholes—4.

The title of the said bill was agreed to.

On motion of Mr. Horn, bill

No. 65, (S.) a bill to provide for the taking of a census of the inhabitants of the State,

Was taken from the table and returned to the general file.

On motion of Mr. Smith, bill

No. 52, (S.) a bill supplementary to an act to incorporate the Milwaukee Mutual Fire Insurance Company, approved Dec. 27, 1837, and an act to amend an act to incorporate the Milwaukee Mutual Fire Insurance Company, approved Feb. 14, 1847,

Was taken up and considered;

And the question being on concurring in the amendments of the Assembly to bill No. 52, (S.)

They were concurred in.

On motion of Mr. Horn, bill

No. 98, (S.) a bill to provide for the translating and printing of certain laws in the German language,

Was taken from the table and returned to the general file.

On motion of Mr. Kinney,

Senate resolved itself into a committee of the whole, on the general file of bills;

Mr. Sholes in the chair.

After some time spent therein, the committee rose and by their chairman reported bills

No. 98, (S.) a bill to provide for the translating and printing of certain laws in the German language;

And,

No. 100, [S.] a bill to aid in the construction of railroads and plank roads,

Without amendments;

And,

No. 65, (S.) a bill to provide for the taking of a census of the inhabitants of the State;

No. 117, (S.) a bill to appropriate the several sums therein named;

And,

No. 118, (S.) a bill to provide for the payment of the present session of the legislature;

With amendments to each.

And reported progress on the general file of bills,

And ask leave to sit again;

Which was granted.

And the question being on ordering bill No. 98, (S.) to be engrossed and read a third time;

Mr. Kinney moved to amend said bill by striking out all after the enacting clause and inserting as follows:

Section 1. Laws of the titles following, viz: "Of town and town officers," "Of the assessment and collection of taxes," "Of highways and bridges," "Of common schools," shall be published in the German and Norwegian languages, as hereinafter provided.

Section 2. That Moritz Schoeffler, Frederick Fratney and Frnest F. Herzberg are hereby appointed a committee for the purpose of translating and publishing two thousand copies of the above mentioned laws with appropriate index thereto, in the German language.

That J. D. Reymert is hereby appointed a committee for the purpose of translating and publishing fifteen hundred copies of said laws, with appropriate index thereto in the Norwegian language.

Section 3. The said laws, when printed and bound in pamphlet form, shall be deposited in the State Library, subject to the further action of the legislature.

Section 4. Said laws shall be published in pamphlet form, and said committee shall receive the sum of fifty cents for each and every copy of said laws deposited as above mentioned, which shall be in full for all expense for translating and printing.

Section 5. The Secretary ot State is hereby required to furnish a certified copy of each of the above laws to each of said committees as soon as the same shall have been deposited in his office.

Section 6. Said laws shall be deposited as aforesaid in the State Library on or before the first day of September next ensuing, and said committees shall respectfully file their affidavits of the correct translation with the Secretary of State.

Which was adopted.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Boyd, Horn, Kinney, Murphy, Stoles, Smith and Sprague—7;

Those who voted in the negative, were

Messrs. Botkin, Chase, Fisher, Gardner, Goodell, Merrell and Williams—7.

The President voted in the affirmative.

And said bill No. 98, (S.)

Was ordered to be engrossed and read a third time.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Boyd, Horn, Kinney, Murphy, Sholes, Smith and Sprague—7.

Those who voted in the negative, were

Messrs. Botkin, Chase, Fisher, Gardner, Goodell, Merrell and Williams—7.

The President voted in the affirmative.

On motion of Mr. Smith,

Bill No. 100 (S.)

Was laid on the table:

The amendments of the committee of the whole to bill No. 117, (S.) were concurred in;

And said bill No. 117, (S.)

Was ordered to be engrossed and read a third time.

The amendments of the committee of the whole to bill No. 118, (S.) were concurred in;

And the question being on ordering said bill No. 118, (S.) to be engrossed and read a third time,

It was not agreed to.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Horn, Kinney and Smith—3.

Those who voted in the negative, were

Messrs. Botkin, Boyd, Chase, Fisher, Gardner, Goodell, Merrell, Murphy, Sholes, Sprague and Williams—11.

The amendments to the committee of the whole to bill No. 65, (S.) were concurred in;

And the question being on ordering said bill No. 65, (S.) to be engrossed and read a third time, it was agreed to.

And the ayes and having been called for,

Those who voted in the affirmative, were

Messrs. Boyd, Fisher, Gardner, Horn, Kinney, Murphy Smith, Sprague and Williams—9.

Those who voted in the negative, were

Messrs. Botkin, Chase, Goodell, Merrell and Sholes—5.

A message from the Assembly, by their chief clerk:

Mr. President:—

The Governor has informed the Assembly that he did, on yesterday, approve sign, and deposite in the office of the Secretary of State,

"An act to amend an act entitled 'an act to provide for the improvement of the Fox and Wisconsin rivers, and connecting the same by a canal, approved August 8, 1848;'"

And on this day approve, sign, and deposit as aforesaid,

"An act to organize the town of Buena Vista, in the county of Richland;"

"An act to authorise the recording of the town plat of Belmont, in Lafayette county;"

"An act to legalize a certain road therein named;"

"An act to amend an act entitled 'an act to incorporate the Lawrence Institute of Wisconsin;'"

"An act entitled 'an act to amend an act to organize school district No. 1, in Fond du Lac, for special purposes, approved Feb. 10, 1847, and all other acts relating to the same subject;'"

"An act to provide for the publication of certain laws;"

"An act to organize a school district in the town of Sun Prairie, in Dane county;"

"An act to declare part of a State road to be a lawful highway;"

"An act in relation to certain school districts in Fond du Lac county;"

"An act to amend an act approved August 19, 1848, entitled 'an act to organize the several towns therein named;'"

"An act to divide the town of Dane in Dane county into two separate towns;"

"An act to amend an act to provide for levying and collecting of State revenue;"

"An act to organize the town of Clayton in Winnebago county;"

"An act to organize the town of Primrose and Perry in Dane county;"

"An act to legalize the acts of the collector of the town of Addison in Washington county;"

"An act to alter a certain road in Winnebago county;"

"Joint resolution to a proposed amendment of the constitution of the United States;"

And,

"Memorial to the President of the United States, asking that measures may be taken to prevent depredations by Indians."

The Assembly have passed

No. 203, (A.) a bill to amend an act entitled 'an act to organize the county of Manitowoc for judicial purposes;'

And,

No. 210, (A.) a bill to repeal the first section of an act entitled 'an act, approved March 9, 1848, to legalize certain roads in the town of Salem, Racine county;'

In which the concurrence of the Senate is requested.

The Assembly have concurred in the passage of

No. 81, (S.) a bill relating to the distribution of the income of the school fund;

No. 108, (S.) a bill to incorporate the Walworth county Academy;

Without amendment;

And,

No. 111, (S.) a bill for an act additional to an act to amend an act to authorize the further sale of canal lands and for other purposes, and the act amendatory thereto, approved March 11, 1848;

With an amendment, in which the concurrence of Senate is requested.

And have passed,

No. 73, (A.) a bill to provide for the location of a State Prison;

No. 186, (A.) a bill to prevent the sale of intoxicating liquors to Indians;

And,

No. 192, (A.) a bill to vacate part of the plat of the city of Superior in Dane county;

In which the concurrence of the Senate is requested.

The Assembly have concurred in the passage of

No. 1001, (S.) a bill for an act to regulate trapping,

And have made sundry amendments thereto;

One of which is a copy of the Wisconsin Argus of the 13th instant;

In which the concurrence of the Senate is requested.

On motion of Mr. Boyd,

Senate adjourned until 10 o'clock to-morrow morning.

THURSDAY, March 22, 1849.

Prayer by the Rev. Mr. Lord.

On motion of Mr. Botkin,

The reading of the journal of yesterday was dispensed with.

Mr. Botkin, from the committee on compilation, reported bills

No. 140, (S.) a bill concerning bills of exchange and promissory notes;

No. 141, (S.) a bill concerning grand and petit jurors;

And,

No. 142, (S.) a bill concerning weights and measures;

Which were severally read a first and second times.

Mr. Sholes, from the committee on public printing, to which had been referred the accounts of sundry persons for public printing, reported

No. 143, (S.) a bill to provide for the payment of certain persons therein named;

Which was read a first and second times.

Mr. Chase, from the committee on the judiciary, to whom had been referred the letter of the Secretary of State, and accompanying documents, relative the indebtedness of St. Croix county, reported

No. 144, (S.) a bill to appropriate to the county of St. Croix the sum therein named;

Which was read a first and second times.

Mr. Fisher, from the committee on engrossed bills, reported as correctly engrossed, bill

No. 65, (S.) a bill to provide for the taking of a census of the inhabitants of the State.

The message of the Assembly was taken up,

And the following bills,

No. 73, (A.) a bill to provide for the location of a State prison;

No. 186, (A.) a bill to prevent the sale of intoxicating liquors to Indians;

No. 192, (A.) a bill to vacate part of the plat of the city of Superior, in Dane county;

No. 203, (A.) a bill to amend an act entitled "an act to organize the county of Manitouwoc, for judicial purposes;"

And,

No. 210, (A.) a bill to repeal the first section of an act entitled "an act approved March 9, 1848, to legalize certain roads in the town of Salem, Racine county;"

Were severally read a first and second times.

The amendment of Assembly to bill

No. 111, (S.) a bill for an act additional to an act to amend an act to authorize the further sale of canal lands, and for other purposes, and the act amendatory thereto, approved March 11, 1848,

Was considered, and

On motion of Mr. Gardner,

Said bill No. 111, (S.) was laid on the table.

No. 185, (S.) an act relative to private nuisances, and general provisions relating to actions concerning real estate,

Was read a third time, passed,

And the title agreed to.

No. 65, (S.) a bill to provide for taking of a census of the inhabitants of the State,

Being on its third reading,

Mr. Merrell moved a call of the house;

And the roll having been called,

Messrs. Botkin and Kinney were reported absent.

The absentees having appeared in their seats,

On motion of Mr. Gardner,

Further proceedings in the call were suspended;

And said bill No. 65, (S.) was read a third time and passed;

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Boyd, Fisher, Gardner, Horn, Kinney, Smith, Sprague and Williams—8.

Those who voted in the negative, were

Messrs. Botkin, Chase, Goodell, Merrell, Murphy and Sholes—6.

Mr. Horn moved to amend the title as follows:

Strike out all after the word "bill," and insert as follows:

"To provide for the permanent location of the seat of justice of Washington county;"

Which was agreed to;

And the title, as amended, was agreed to.

Mr. Sholes, from said committee, reported as follows:

The joint committee on bills reported by the revisers and compilers, would report,

That they have examined the following named bills, and find them correctly enrolled, viz:

No. 76, (A.) a bill in relation to the assessment and collection of taxes;

And,

No. 107, (A.) a bill in relation to testimony and depositions.

C. LATHAM SHOLES,
Com. on part of Senate.

Mr. Boyd, from the committee on enrolled bills, would report,

No. 164, (A.) a bill relative to seals;

No. 108, (A.) a bill to divide the town of Brighton, in the county of Winnebago;

No. 173, (A.) a bill to alter the boundaries of certain towns in the county of Marquette;

No. 127, (S.) a bill relating to improvements on real estate;

No. 132, (A.) bill declaring a certain road in the town of Rosendale, in Fond du Lac county, to be a lawful highway;

No. 122, (A.) a bill submitting the question of the extension of the right of suffrage to a vote of the people;

No. 194, (A.) a bill to organize the town of Grand Chute, in Brown county;

No. 201, (A.) a bill to authorize the laying out of a certain road in the town of Madison;

No. 115, (S.) a bill to change the name of the town of Juneau, in the county of Dodge;

No. 84, (S.) a bill to appropriate to Seymour & Varney, Timothy Robertson, and James Helpin, the sums therein named;

No. 121, (S.) a bill to declare certain roads in Rock county as lawful highways;

As correctly enrolled.

On motion of Mr. Gardner,

Senate resolved itself into a committee of the whole on the general file of bills;

Mr. Merrell in the chair.

After some time spent therein, the committee rose, and by their chairman reported the following bills:

No. 27, (A.) a bill to provide for the enrollment of the militia;

No. 131, (A.) a bill to organize the town of La Prairie, in the county of Rock;

No. 134, (A.) a bill to legalize the acts of certain officers of the town of Spring Prairie, and to declare a road therein described as a lawful highway;

No. 140, (A.) a bill to authorize the construction of a bridge across Fox river;

No. 147, (A.) a bill providing for the sale of the school section, in the city of Racine;

No. 162, (A.) a bill on mechanics' and laborers' lien;

No. 166, (A.) a bill to authorize the issuing of patents for canal lands sold and not patented, and to provide for the payment and discharge of the mortgages thereon;

No. 183, (A.) a bill to provide for recording contracts relating to land;

No. 187, (A.) a bill relating to the admission of attorneys at law;

No. 200, (A.) a bill to authorize the construction of a bridge across Nepasink lake;

No. 202, (A.) a bill to provide for laying out a State road;

No. 204, (A.) a bill to vacate a part of Johnson street, in the village of Port Washington;

Without amendments; and bills

No. 93, (A.) a bill to authorize the electors of Lafayette county to vote on the removal of the county seat;

No. 141, (A.) a bill to authorize the construction of a bridge across Fox river;

No. 156, [A.] a bill to authorize the aldermen of the first ward of the city of Milwaukee, to levy a school tax to raise money for the purpose of erecting a market-house in said ward; and,

No. 172, [A.] a bill to change the name of the town of Lexington and village of Dartford, and to vacate the alleys in said village;

With amendments to each;

And reported progress on the general file of bills,

And ask leave to sit again;

Which was granted.

The amendments of the committee of the whole to bill No. 93, [A.] being under consideration,

And the question being,

"Will the Senate concur in the same?"—

It was decided in the negative;

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Fisher, Gardner, Murphy, Sholes, Sprague and Williams—6.

Those who voted in the negative, were

Messrs. Botkin, Boyd, Chase, Goodell, Horn, Kinney, Merrell and Smith—8.

And the question being on ordering said bill No. 93, [A.] to be read a third time,

Mr. Murphy moved that said bill be indefinitely postponed;

Which was not agreed to.

Mr. Horn moved that said bill No. 93, [A.] be referred to the judiciary committee, with instructions to bring in a bill making Shullsburg the point to be voted for;

Which was not agreed to.

On motion of Mr. Gardner,

Senate adjourned until 3 o'clock this afternoon.

SAME DAY 3 O'CLOCK, P. M.

A message from the Assembly, by their chief clerk:

Mr. President:—

I am directed to present for your signature,

"An act to organize the town of Grand Chute, in Brown county;"

"An act to authorize the laying out of a certain road in the town of Madison;"

"An act submitting the question of the extension of the right of suffrage to a vote of the people;"

"An act relative to seals;"

"An act declaring a certain road in the town of Rosendale, in Fond du Lac county, to be a lawful highway;"

"An act to alter the boundaries of certain towns in the county of Marquette;"

"An act to divide the town of Brighton, in the county of Winnebago;"

"An act to appropriate to Seymour & Varney, to Timothy Robertson and James Helpin, the sums therein named;"

"An act to declare certain roads in Rock county, lawful highways;"

"An to change the name of the town of Juneau, in the county of Dodge;

And,

"An act relating to improvements on real estate;"

Which have been signed by the Speaker of the Assembly.

The Assembly have concurred in the passage of

No. 136, (S.) of the incorporation of cemetery associations;

Without amendment.

And have passed

No. 197, [A.] a bill concerning the crime of seduction;

No. 198, [A.] a bill concerning divorces;

No. 199, [A.] a bill concerning marriages;

No. 205, [A.] a bill authorizing the maintenance of actions by persons holding claims on the United States lands;

No. 206, [A.] a bill concerning electric telegraph lines;

No. 207, [A.] a bill concerning religious societies;

No. 212, [A.] a bill to punish trespass on lands;

No. 213, [A.] a bill to provide for the annual meeting of the Legislature;

And,

No. 215, [A.] a bill to establish the University of Wisconsin;

In all of which the concurrence of the Senate is requested.

And the pending question (on adjournment) being on ordering bill

No. 93, [A.] a bill to authorize the electors of Lafayette county to vote on the removal of the county seat,

To be read a third time,

On motion of Mr. Murphy,

The further consideration of said bill No. 93, [A.] was postponed until Saturday next.

The amendments to bill

No. 141, [A.] a bill to authorize the construction of a bridge across Fox river,

Were concurred in;

And said bill No. 141, [A.] was ordered to be read a third time.

The amendments of the committee of the whole to bill

No. 156, [A.] a bill to authorize the aldermen of the first ward of the city of Milwaukee to levy a special tax, to raise money for the purpose of erecting a market-house in said ward,

Were concurred in;

And said bill No. 156, [A.] was ordered to be read a third time.

The amendments of the committee of the whole to bill

No. 172, [A.] a bill to change the name of the town of Lexington and village of Dartford, and to vacate the alleys in said village,

Were concurred in;

And said bill No. 172, [A.] together with the amendments thereto, as substitutes, were,

On motion of Mr. Merrell, laid on the table.

No. 27, [A.] a bill to provide for the enrollment of the militia, was,

On motion of Mr. Boyd,

Referred to the committee on the militia.

No. 134, [A.] a bill to legalize the acts of certain town officers of the town of Spring Prairie, and to declare a road therein described a lawful highway,

Being considered,

Mr. Boyd moved to amend the same by inserting in section one, after "Spring Prairie," the words "Walworth county;"

Which was agreed to;

And said bill No. 134, [A.] was ordered to be read a third time.

No. 147, [A.] a bill providing for the sale of the school section in the city of Racine, was,

On motion of Mr. Sholes,

Referred to the committee on education and school lands.

No. 162, [A.] a bill on mechanics' and laborers' lien, was,

On motion of Mr. Fisher,

Referred to the committee on State affairs.

No. 200, [A.] a bill to authorize the construction of a bridge across Nepasink lake, was,

On motion of Mr. Merrell,

Referred to the committee on roads and bridges.

And the following bills,

No. 140, [A.] a bill to authorize the construction of bridges across Fox river;

No. 166, [A.] a bill to authorize the issuing of patents for canal lands sold and not patented, and to provide for the payment and discharge of the mortgages thereon;

No. 183, [A.] a bill to provide for recording contracts relating to lands;

No. 187, [A.] a bill relating to the admission of attorneys at law;

No. 202, [A.] a bill to provide for laying out a State road;

No. 204, [A.] a bill to vacate a part of Johnson street, in the village of Port Washington; and,

No. 131, [A.] a bill to organize the town of La Prairie, in the county of Rock;

Were severally ordered to a third reading.

The message of the Assembly was taken up,

And the following bills,

No. 197, [A.] a bill concerning the crime of seduction;

No. 198, [A.] a bill concerning divorces;

No. 199, [A.] a bill concerning marriages;

No. 205, [A.] a bill authorizing the maintenance of actions by persons holding claims on United States lands;

No. 206, [A.] a bill concerning electric telegraph lines;

No. 207, [A.] a bill concerning religious societies;

No. 212, [A.] a bill to punish trespass on lands;

No. 213, [A.] a bill to provide for the annual meeting of the Legislature;

And,

No. 215, [A.] a bill to establish the University of Wisconsin;

Were severally read a first and second times.

No. 1001, [A.] a bill for an act to regulate trapping,

Was read a first and second times;

And,

On motion of Mr. Horn,

Said bill was referred to the committee on public printing.

On motion of Mr. Chase,

Said bills No. 197, (A.) No. 198, (A.) and No. 199, (A.),

Were referred to the committee on expiration and re-enactment of laws.

On motion of Mr. Gardner, bill

No. 111, (S.) a bill for an act additional to an act to amend an act to authorize the further sale of canal lands, and for other purposes, and the act amendatory thereto, approved March 11, 1848,

Was taken from the table;

And the question being on concurring in the amendments of Assembly to said bill No. 111, (S.),

They were concurred in.

On motion of Mr. Chase, bill

No. 68, (A.) a bill repealing all laws providing for the licensing of the sale of spirituous liquors,

Was taken from the table,

And referred to the committee on expiration and re-enactment of laws.

A message from the Assembly, by their chief clerk:

Mr. President:—

I am directed to present for your signature,

A chapter of the formation of corporations for manufacturing, mining, lumbering, agricultural, mechanical and chemical purposes;

"An act to organize county courts;"

And,

"An act to provide for the publication of legal decisions;

Which have been signed by the Speaker of the Assembly.

The Assembly have concurred in the passage of

No. 126, [S.] a bill relating to proceedings against debtors by attachment;

Without amendments;

In which the concurrence of the Senate is requested.

And have passed

No. 208, [A.] a bill to restrain unauthorized Banking;

No. 211, [A.] a bill to authorize the appointment of Commissioners to take acknowledgments of deeds and other contracts, and depositions in other States;

No. 214, [A.] a bill concerning the weighing of lead ore, copper ore, and other mineral substances;

And,

No. 216, [A.] a bill in relation to seals;

In which the concurrence of the Senate is requested.

And have concurred in the adoption of the following resolution,

Without amendment:

Resolved, by the Senate and Assembly, That the joint committee consisting of one member from each house, appointed in pursuance of a resolution introduced into the Senate on the 25th inst., to examine all enrolled bills reported by the Revisers or the committee on Compilation, after the same shall have been examined by the enrolling committee, for the purpose of ascertaining whether or not there are any wrong references in the same, and whether the different bills and different parts of the same bill are consistent with each other or not, be and they are hereby authorized to correct any wrong references or slight defects where said corrections do not involve any principle or in any manner change the character of the bill, but are necessary to make the bill consistent with itself.

And have indefinitely postponed

No. 65, [S.] a bill to provide for the permanent location of the seat of justice of Washington county.

Mr. Boyd from the committee on enrolled bills reported as correctly enrolled,

No. 102, [A.] a bill in relation to the formation of corporations for manufacturing, mining, lumbering, mechanical and chemical purposes;

No. 47, [S.] a bill to provide for the publication of legal decisions;

No. 195, [A.] a bill to organize county courts.

On motion of Mr. Gardner,

Senate resolved itself into a committee of the whole on the general file of bills;

Mr. Smith in the chair.

After some time spent therein the committee rose and by their chairman reported bills,

No. 186, [A.] a bill to prevent the sale of intoxicating liquors to Indians;

No. 192, [A.] a bill to vacate part of the plat of the city of Superior in Dane county;

No. 196, [A.] a bill to enable the town of Janesville in the county of Rock to apply the moneys raised from licenses granted for the sale of spirituous liquors in said town to the support of the poor;

No. 203, [A.] a bill to amend an act entitled "an act to organize the county of Manitowoc for judicial purposes;"

And,

No. 210, [A.] a bill to repeal the first section of an act entitled 'an act approved March 9, 1848, to legalize certain roads in the town of Salem Racine county ;

Without amendment ;

And,

No. 124, [S.] a bill to pay to Alden and Holt the sum therein named ;

With amendments.

And reported progress on the general file of bills,

And ask leave to sit again ;

Which was granted.

The amendments of the committee of the whole to bill No. 124, [S.]

Were concurred in ;

And said bill No. 124, [S.]

Was ordered to be engrossed and read a third time.

On motion of Mr. Merrell, bill

No. 210, [A.]

Was laid on the table.

On motion of Mr. Chase,

Bill No. 203, [A.]

Was laid on the table.

On motion of Mr. Chase,

Bill No. 196, [A.]

Was laid on the table.

On motion of Mr. Chase,

Bill No. 186, [A.]

Was referred to the committee on expiration and re-enactment of laws.

No. 192, [A.] was ordered to be read a third time.

The message of the Assembly was taken up ;

And the question being on concurring in the amendments of Assembly to bill

No. 126, [S.] a bill relating to proceedings against debtors by attachment,

They were severally concurred in.

And the following bills,

No. 208, [A.] a bill to restrain unauthorized banking;

No. 211, [A.] a bill to authorize the appointment of commissioners to take the acknowledgment of deeds and other contracts and depositions in other States;

No. 214, [A.] a bill concerning the weighing of lead ore, copper ore, and other mineral substance;

And,

No. 216, [A.] a bill relative to seals;

Were severally read a first and second times.

On motion of Mr. Chase,

Senate adjourned until 10 o'clock to-morrow morning.

Friday, March 23, 1849.

The Senate was called to order by Mr. Sholes.

Prayer by the Rev. Mr. Penman.

On motion of Mr. Botkin,

Senate proceeded to the election *viva voce* of a President of the Senate pro tempore, in the absence of the Lieutenant Governor.

And the roll having been called,

Messrs. Boyd, Chase, Goodell, Sholes, Smith, Sprague and Williams voted for Mr. Kinney, 7.

Messrs. Botkin, Fisher, Horn and Kinney voted for Mr. Smith, 4.

Mr. Merrell voted for Mr. Boyd, 1.

Mr. Norton voted for Mr. Botkin, 1.

Mr. Kinney having received a majority of all the votes cast, was declared duly elected President pro tempore of the Senate, and was conducted to the chair.

The journal of yesterday was read and corrected.

A message from the Assembly by their chief clerk:

Mr. President—

The Assembly have concurred in the passage of

No. 132, [S.] general provisions concerning courts, and powers and duties of certain judicial officers;

And,

No. 91, [S.] a bill relating to the sale of spirituous liquors;

Without amendment.

Mr. Fisher from the committee on engrossed bills, reported as correctly engrossed, bills

No. 98, [S.] a bill to provide for the translating and printing of certain laws in the German language;

And,

No. 117, [S.] a bill to appropriate the several sums therein named.

Mr. Williams from the committee on education and school lands, to whom had been referred bill

No. 147, [A.] a bill providing for the sales of the school section in the city of Racine,

Reported said bill No. 147, [A.] back without amendment.

Mr. Botkin from the committee on State affairs, to whom had been referred,

No. 73, [A.] a bill to provide for the location of a State Prison,

Reported as follows:

The committee on State affairs to whom was referred Assembly bill No. 73, to provide for the location of a State Prison, together with sundry petitions on the same subject have had the matter under consideration, and

REPORT:

That in order to prevent any possibility of unfairness or partiality in the selection of a proper location for a State Prison and in order that the selection of a site may entirely prevent the possibility of convict labor ever coming in contact with the industry and enterprise of our mechanics and laborers in any part of the State, they propose an amendment and recommend its adoption and the passage of the bill.

All of which is respectfully submitted.

A. BOTKIN,
Chairman Committee.

March 23, 1849.

Amend section 1, by adding as follows:

"Provided that the State Prison shall not be located in any county from which any one of the said commissioners shall be chosen."

And said bill No. 73, [A.] was read a second time.

Mr. Botkin offered the following resolution:

Resolved, by the Senate and Assembly, That the joint committee of one from each house, appointed to examine the enrolled bills reported by the Revisers and Compiling committee, and to make corrections, &c., be, and they are hereby authorized to strike out the words "Judge of Probate, or Probate Judge," wherever they occur in act in relation to counties and county officers, and chapter of elections, other than for town officers, and where necessary, to insert "Judge of the County Court, or County Judge," and further to strike out from the first mentioned act, sections 72, 73 and 74, which provide for the election of Judges of Probate, and to cause the pages on which said sections occur, to be re-enrolled.

And on motion of Mr. Williams,

Said resolution was laid on the table until this afternoon.

Mr. Boyd from the committee on enrolled bills, reported as follows:

The committee on enrolled bils would report that they did on yesterday, present to the Governor for his approval,

"An act to change the name of the town of Juneau in the county of Dodge;"

"An act to declare certain roads in Rock county lawful highways;"

"An act to appropriate to Seymour and Varney, to Timothy Robertson, and James Helpin the sums therein named;"

"An act to organize the town of Grand Chute in Brown county;"

"An act to divide the town of Brighton in the county of Winnebago;"

"An act to alter the boundaries of certain towns in the county of Marquette;"

"An act declaring a certain road in the town of Rosendale in Fond du Lac county, to be a lawful highway;"

"An act relative to seals;"

"An act submitting the question of the extension of the right of suffrage to a vote of the people;"

"An act to authorize the laying out of a certain road in the town of Madison;"

Mr. Chase from the committee on expiration and re-enactment of laws, to whom said bills had been referred, reported back

No. 197, (A.) a bill concerning the crime of seduction;

And,

No. 199, (A.) a bill concerning marriages;

Without amendment;

And,

No. 198, (A.) a bill concerning divorces;

With amendments.

And said bill No. 198, (A.) was read a second time.

Mr. Fisher from the committee on roads and bridges, to whom was referred sundry bills and petitions on the subject of laying out certain State roads, have had the same under consideration and have instructed me to report, bill

No. 62, (A.) a bill to lay out and establish certain roads therein named,

Back to the Senate with amendments.

And said bill No. 62, (A.) was read a second time.

Mr. Murphy moved a call of the House;

And the roll having been called,

All Senators were reported present, except those who have had leave of absence.

Further proceedings in the call were suspended.

Mr. Murphy moved to reconsider the vote by which bill

No. 93, (A.) a bill to authorize the electors of Lafayette county to vote on the removal of the county seat,

Was laid on the table until Saturday next;

Which was agreed to.

Mr. Horn moved a call of the House;

And the roll having been called,

Mr. Cothren was reported absent;

And Mr. Cothren having appeared in his seat, further proceedings on the call were suspended.

Mr. Horn moved to reconsider the vote by which Senate refused to concur in the amendments of the committee of the whole to said bill No. 93, (A.)

Which was agreed to.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Cothren, Fisher, Gardner, Horn, Kinney, Murphy, Norton, Sholes, Sprague and Williams—10.

Those who voted in the negative, were

Messrs. Botkin, Boyd, Chase, Goodell, Merrell, and Smith —6.

On motion of Mr. Cothren,

Said bill No. 93, (A.)

Was laid on the table until to-morrow morning.

The message of the Assembly was taken up, and the following bills, to wit:

No. 131, (A.) a bill to organize the town of La Prairie in the county of Rock;

No. 134, (A.) a bill to legalize the acts of certain town officers;

No. 140, (A.) a bill to authorize the construction of a bridge across Fox river;

No. 141, (A.) a bill to authorize the construction of a bridge across Fox river;

No. 166, (A.) bill to authorize the issuing of Patents for canal lands, sold and not patented, and to provide for the payment and discharge of the mortgages thereon;

No. 202, (A.) a bill to provide for laying out a State road;

And,

No. 204, (A.) a bill to vacate a part of Johnsnn street in the village of Port Washington;

Were severally read a third time, passed,

And their titles severally agreed to.

No. 98, (S.) a bill to provide for the publication of certain laws therein mentioned in the German and Norwegian languages,

Was, on motion of Mr. Horn,

Laid on the table.

No. 117, (S.) a bill to appropriate the several sums therein named,

Was read a third time and passed.

Mr. Boyd moved to amend the title as follows:

Strike out all after the word "bill" and insert as follows:

Which was agreed to.

And the title as amended was agreed to.

No. 114, (S.) a bill to pay to Alden and Holt the sum therein named,

Was read a third time and passed.

Mr. Williams moved to amend the title as follows:

Strike out all after the word "bill" and insert as follows:

"To incorporate the Watertown Academy;"

Which was agreed to;

And the title as amended was agreed to.

No. 156, (A.) a bill to authorize the aldermen of the first ward of the city of Milwaukee to levy a special tax to raise money for the purpose of erecting a market house in said ward,

Was read a third time and passed.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Botkin, Chase, Gardner, Goodell, Horn, Kinney, Merrell, Murphy, Norton, Sholes, Smith, Sprague and Williams—13.

Mr. Fisher voted in the negative.

The title of the said bill was agreed to.

No. 183, [A.] a bill to provide for recording contracts relating to lands;

Being put on its third reading;

And the question, shall this bill be read a third time,

It was determined in the negative.

No. 187, [A.] a bill regulating the admission of attorneys at law;

Was read a third time and passed.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Botkin, Chase, Fisher, Goodell, Merrell, Norton, Sholes, Smith and Sprague—9.

Those who voted in the negative, were

Messssrs. Boyd, Gardner, Horn, Kinney, Murphy and Williams—6.

No. 192, (A.) a bill to vacate part of the plat of the city of Superior in Dane county;

Was read a third time and passed.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Botkin, Boyd, Chase, Fisher, Goodell, Horn, Kinney, Merrell, Norton and Sprague—10.

Those who voted in the negative, were

Messrs. Gardner, Murphy, Sholes, Smith and Williams—5.

The title of the bill was agreed to.

No. 147, [A.] a bill to provide for the sale of the school section in the city of Racine;

Was, on motion of Mr. Sholes,

Re-committed to the committee of the whole.

The President laid before Senate the following bills, reported by the revisers:

No. 145, (S.) of guardians and wards;

No. 146, (S.) of masters and apprentices;

Which were severally read a first and second times.

On motion of Mr. Sprague,

Senate adjourned until 2 o'clock this afternoon.

SAME DAY 2 O'CLOCK, P. M.

On motion of Mr. Goodell,

Senate resolved itself into a committee of the whole on the general file of bills;

Mr. Goodell in the chair.

After some time spent therein the committee rose and by their chairman reported bills,

No. 140, [S.] a bill concerning bills of exchange and promissory notes;

No. 141, [S.] a bill concerning grand and petit jurors;

No. 142, [S.] a bill concerning weights and measures;

No. 143, [S.] a bill to provide for the payment of certain persons therein named;

No. 144, [S.] a bill to appropriate to the county of St. Croix the sum therein named;

No. 62, (A.) a bill to lay out and establish certain roads therein named;

No. 147, [A.] a bill providing for the sale of the school section in the city of Racine;

No. 197, [A.] a bill concerning the crime of seduction;

And,

No. 199, [A.] a bill concerning marriages;

Without amendment.

And the following bills,

No. 73, [A.] a bill to provide for the location of a State Prison,

And,

No. 198, [A.] a bill concerning divorces;

With amendments to each;

And reported progress on the general file of bills,

And ask leave to sit again;

Which was granted.

And the report of the committee of the whole being under consideration the following bils,

No. 140, S., No. 141, S., No. 142, S., No. 143, S., No. 144, S., were severally ordered to be engrossed and read a third time.

No. 62, A., No. 147, A., No. 197, A., and No. 199, A.,

Were severally ordered to be read a third time.

The amendments of the committee of the whole to bill No. 73, [A.]

Being under consideration,

Mr. Botkin moved to refer the said bill to the committee on incorporations;

Which was not agreed to.

And the question recurring on concurring in the amendments of the committee of the whole to said bill

No. 73, [A.]

They were concurred in.

Mr. Williams moved to refer said bill No. 73, [A.] to the committee on the judiciary;

Which was not agreed to.

Mr. Botkin moved to refer said bill No. 73, [A.] to the committee on incorporations;

Which was not agreed to.

Mr. Gardner moved that said bill No. 73, [A.] be indefinitely postponed;

Which was not agreed to.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Fisher, Gardner, Kinney, Merrell, Murphy and Norton—6.

Those who voted in the negative, were

Messrs. Botkin, Boyd, Chase, Goodell, Horn, Sholes, Smith, Sprague and Williams—9.

Mr. Botkin moved to refer said bill No. 73, [A.] to a select committee;

Which was agreed to.

Messrs. Botkin, Horn, and Chase were appointed such committee.

And the question being on concurring in the amendments of the committee of the whole to bill No. 198, [A.]

They were severally concurred in.

And said bill No. 198, [A.]

Was ordered to be read a third time.

Mr. Boyd from the commitiee on enrolled bills, reported as follows:

The committee on enrolled bills would report

No. 81, (S.) a bill relating to the distribution of the income of the school fund;

No. 108, [S.] a bill to incorporate the Walworth county Academy;

No. 52, (S.) a bill supplementary to an act to incorporate the Milwaukee Mutual Fire Insurance Company, approved Dec. 27, 1837, and an act to amend an act to incorporate the Milwaukee Mutual Fire Insurance Company, approved Feb. 14, 1847,

And,

No. 111, (S.) a bill for an act additional to an act to amend an act to authorize the further sale of canal lands, and for other purposes, and the act amendatory thereto, approved March 11, 1848,

As correctly enrolled.

A message from the Governor:

To the Senate—

I did, on yesterday, approve, sign, and deposite in the Secretary of State's office, acts of the following titles, to wit:

"An act to change the name of the town of Juneau in the county of Dodge;"

"An act to declare certain roads in Rock county lawful highways;"

And,

"An act to appropriate to Seymour and Varney, to Timothy Robertson, and James Helpin the sums therein named."

NELSON DEWEY.

Executive Department,
March 23, 1849.

On motion of Mr. Williams,

Senate adjourned until 10 o'clock to-morrow morning.

SATURDAY, March 24, 1849.

Prayer by the Rev. Mr. Lord.

The reading of the journal of yesterday was dispensed with.

The President laid before Senate a letter and report from the commissioners to revise the laws.

To the President of the Senate:

You will please lay the revised reports herewith transmitted, before the Senate.

Respectfully yours,
M. FRANK,
C. M. BAKER.

Madison, March 24, 1849.

Accompany said letter were the following bills:

No. 147, (S.) of the preservation of the public health;

No. 148, (S.) of the destruction of wolves;

No. 149, (S.) of libraries and lyceums;

No. 150, (S.) of dogs;

No. 151, (S.) of the racing of animals;

Which were severally read a first and second times,

And their printing dispensed with.

Mr. Smith, from the committee on finance, made the following report:

[See Appendix.]

And the accompanying bill was introduced by Mr. Smith, on leave,

No. 152, (S.) a bill to provide for levying a State tax;

Which was read a first and second times; and,

On motion of Mr. Chase,

Five hundred copies of said report were ordered to be printed.

Mr. Boyd, on leave, introduced the following resolutions:

Resolved, by the Senate and Assembly of the State of Wisconsin, That we have learned with the deepest regret and mortification, that our recently elected United States Senator, Hon. I. P. Walker, has presented a proposition, and voted for a government for New Mexico and California, that does not prohibit the extension of slavery into said Territories; that we decidedly disapprove his vote upon that subject, as in direct violation of the instructions given him by this Legislature, and the warmly cherished principles and feelings of those who elected him.

Resolved, That we highly approve the vote of our other Senator, Hon. Henry Dodge, as a correct expression of the sentiments of the people of Wisconsin upon that important subject.

Resolved, That Mr. Walker is hereby requested immediately to resign his seat in the United States Senate, unless he will, by his votes hereafter carry out the principles of his constituents as they are clearly expressed in the resolutions of instruction passed by this Legislature upon the subject of slavery.

And said resolution was,

On motion of Mr. Boyd,

Laid on the table.

Mr. Merrell, on leave, introduced the following resolutions:

Resolved, by the Senate and Assembly, that our Representatives in Congress are hereby requested, and our Senators instructed, to use their utmost exertions to procure the passage of a law making a grant of the military reserve at Fort Winnebago to this State, for a penitentiary.

Resolved, that the Governor is requested to furnish each of our Senators and Representatives with a copy of this resolution as soon as passed.

And the said resolutions being under consideration,

Mr. Horn moved to amend the first resolution as follows:

Insert after the word "for," the words, "the purpose of aiding the erection of;"

Which was agreed to.

Mr. Smith moved to lay the resolutions on the table;

Which was not agreed to.

Mr. Williams moved to strike out the word "utmost;"

Which was agreed to;

And the resolutions, as amended, were adopted.

Mr. Sholes, from the joint committee on enrollment, appointed to examine the enrolled bills reported from revisers and compiling committee, reported as correctly enrolled,

No. 99, (S.) a bill in relation to highways and bridges.

Mr. Fisher, from the committee on engrossed bills, reported as correctly engrossed, bills

No. 140, (S.) a bill concerning bills of exchange and promissory notes;

No. 141, (S.) a bill concerning grand and petit jurors;

No. 142, (S.) a bill concerning weights and measures;

No. 143, (S.) a bill to provide for the payment of certain persons therein named;

And,

No. 144, (S.) a bill to appropriate to the county of St. Croix the sum therein named.

On motion of Mr. Norton,

And under rule,

Senate resolved itself into a committee of the whole on bills reported by revisers;

Mr. Sholes in the chair.

After some time spent therein, the committee rose, and by their chairman reported the following bills:

No. 145, (S.) of Guardians and wards;

No. 146, (S.) of masters and apprentices;

No. 149, (S.) of libraries and lyceums;

No. 150, (S.) of dogs;

No. 151, (S.) of the racing of animals;

Without amendment,

And the following bills,

No. 147, (S.) of the preservation of the public health;

And,

No. 148, (S.) of the destruction of wolves;

With amendments to each.

And the report of the committee of the whole being considered,

Bills No. 145 S., No. 146 S., No. 149 S., and No. 150 S.,

Were ordered to be engrossed and read a third time.

Mr. Fisher moved to amend bill No. 151, (S.) as follows:

Strike out all after the enacting clause, and insert as follows:

"The old Blue Laws of Connecticut are hereby adopted by the State of Wisconsin;"

Which was not agreed to;

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Chase, Fisher, Horn, Merrell, Murphy and Sholes —6.

Those who voted in the negative, were

Messrs. Botkin, Boyd, Gardner, Kinney, Norton, Smith, Sprague and Williams—9.

Mr. Horn moved to refer said bill No. 151, (S.) to the committee on public printing;

Which was not agreed to.

Mr. Merrell moved to refer said bill No. 151, (S.) to a select committee;

Which was not agreed to.

And said bill No. 151, (S.) was ordered to be engrossed and read a third time.

The amendment of the committee of the whole to bill No. 147, (S.),

Was concurred in.

And said bill No. 147, (S.) was ordered to be engrossed and read a third time.

The amendment of the committee of the whole to bill No. 148, (S.) being under consideration, said bill was,

On motion of Mr. Chase,

Indefinitely postponed.

On motion of Mr. Gardner, bill

No. 98, (S.) a bill to provide for the publication of certain laws in the German and Norwegian languages,

Was taken from the table and put on its third reading.

On motion of Mr. Sprague,

Senate adjourned until three o'clock this afternoon;

And the ayes and having been called for,

Those who voted in the affirmative, were

Messrs. Boyd, Chase, Fisher, Goodell, Horn, Murphy, Sholes, Smith, Sprague and Williams—10.

Those who voted in the negative, were

Messrs. Botkin, Gardner, Kinney, Merrell and Norton—5.

SAME DAY 3 O'CLOCK, P. M.

Mr. Fisher presented the account of H. A. Wright, against the State;

Which was referred to the committee on printing.

Mr. Botkin presented the petition of H. A. Tiffany and others, citizens of Madison and vicinity, remonstrating against the division of the town of Madison;

Which was referred to the committee on town and county organization.

A message from the Assembly, by their chief clerk:

Mr. President:—

The Assembly have passed

No. 217, (A.) a bill to appropriate the several sums therein named;

And,

No. 224, (A.) a bill to legalize certain roads in Winnebago county;

In which the concurrence of Senate is requested.

Mr. Gardner, from the committee on expiration and re-enactment of laws, made the following report:

The committee on the expiration and re-enactment of laws to which was referred

No. 186, (A.) a bill to prevent the sale of intoxicating liquors to Indians;

And,

No. 68, (A.) a bill repealing all laws providing for the licencensing the sale of spirituous liquors;

Report that they have had the same under consideration, and recommend the following amendments to said bill, to wit:

Amend No. 68, section 1, by adding as follows:

"Provided, that nothing herein contained shall be so construed as in any manner to interfere with any of the provisions of an act entitled 'an act relating to the sale of spirituous liquors, passed at the present session of the Legislature.'"

Amend No. 186, section 1, as follows:

Strike out all after the word "committee," in the tenth line.

Amend section 2. Strike out "Brown," and insert "Winnebago;" and strike out all after the word "miles," in the fifth line of the proviso. Strike out section 7.

And the said bills No. 68, (A.) and No. 186, (A.),

Were severally read a second time.

Mr. Fisher, from the committee on engrossed bills, reported as correctly engrossed, bills

No. 145, (S.) of guardians and wards;

No. 146, (S.) of masters and apprentices;

No. 147, (S.) of the preservation of the public health;

No. 149, (S.) of libraries and lyceums;

No. 150, (S.) of dogs;

And,

No. 151, (S.) of the racing of animals.

Mr. Botkin, from the select committee to whom was referred

No. 73, (A.) a bill to provide for the location of a State prison,

Reported said bill back, with the following amendments:

Strike out all from section 2 to section 8 inclusive;

And strike out section 14, and number the sections accordingly.

Section 2. The commissioners shall examine the several points that may be suggested to them, so far as they may deem it necessary, for the proper selection of the best site for the location of a State prison; and after they have made the necessary investigation and determined on a location, and shall have devised and matured their plan of a State prison, the cost of the site, and the estimated costs of such prison, they shall submit the same to the next session of the Legislature for their further action on the subject.

Strike out in section 9 all after the words "Secretary of State."

Strike out section 10.

Strike out all after the word "vacancy" in section 11, fourth line.

Strike out in section 12, seventh line all after the word "oath."

And said bill No. 73, (A.) was read a second time.

The message of the Assembly was taken up,

And the following bills,

No. 217, (A.) a bill to appropriate the several sums therein named;

And,

No. 224, (A.) a bill to legalize certain roads in Winnebago county;

Were severally read a first and second times.

The following bills,

No. 140, (S.) a bill concerning bills of exchange and promissory notes;

No. 141, (S.) a bill concerning grand and petit jurors;

No. 142, (S.) a bill concerning weights and measures;

No. 145, (S.) of guardians and wards;

No. 146, (S.) of masters and apprentices;

No. 147, (S.) of the preservation of the public health;

No. 149, (S.) of libraries and lyceums;

No. 150, (S.) of dogs;

No. 151, (S.) of the racing of animals;

No. 197, (.A) a bill concerning the crime of seduction;

No. 198, (A.) a bill concerning divorces;

And,

No. 199, (A.) a bill concerning marriages;

Were severally read a third time, passed, and their titles severally agreed to.

No. 98, (S.) a bill to provide for the publication of certain laws therein mentioned in the German and Norwegian languages,

Being put on its third reading, was,

On motion of Mr. Horn,

Laid on the table until Tuesday next.

No. 62, (A.) a bill to lay and establish certain roads therein named,

Being put on its third reading,

Mr. Goodell asked the unanimous consent of Senate to offer the following amendment to said bill:

Strike out section 17, and insert, in place thereof, as follows:

"That Joseph L. Chicks, Moses Stanton, Daniel Dick, and J. L. Moor, are hereby appointed commissioners to lay out and locate a State road commencing at or near the North School-House, in the town of Stockbridge, Calumet county, running east on the road now laid out from said school-house to the forks of the Manitowoc river, until it passes a certain ledge or ridge; thence running in a south-easterly direction to Stanton's Mill on the Manitowoc river; thence on the most eligible route to Sheboygan Falls, in Sheboygan county;

Which was agreed to;

And the amendment was adopted;

And said bill No. 62, (A.) was read a third time, passed, and the title agreed to.

No. 143, (S.) a bill to provide for the payment of certain persons therein named,

Was read a third time and passed;

And the ayes and noes having been called,

Those who voted in the affirmative, were

Messrs. Botkin, Boyd, Chase, Fisher, Gardner, Goodell, Kinney, Merrell, Murphy, Sholes, Smith, Sprague and Williams —13.

None in the negative.

The title of said bill was agreed to.

No. 144, (S.) a bill to appropriate to the county of St. Croix the sum therein named,

Was read a third time and passed;

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Botkin, Boyd, Chase, Fisher, Gardner, Goodell Kinney, Merrell, Murphy, Sholes, Smith, Sprague and Williams —13.

None in the negative.

The title of said bill was agreed to.

No. 147, (A.) a bill providing for the sale of the school section in the city of Racine,

Being put on its third reading,

Mr. Sprague moved to lay said bill No. 147, (A.) on the table;

Which was not agreed to.

Mr. Horn asked the unanimous consent of Senate to offer an amendment to said bill;

Which was not granted.

Mr. Merrell moved to postpone the further consideration of said bill until Tuesday next;

Which was not agreed to;

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Botkin, Gardner, Goodell, Horn, Merrell, Murphy and Sprague—7.

Those who voted in the negative, were, Messrs. Boyd, Chase, Cothren, Fisher, Kinney, Norton, Sholes, Smith and Williams —9.

And the question being on the passage of said bill No. 147, (A.),

It was decided in the negative;

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Boyd, Chase, Cothren, Fisher, Kinney, Norton, Sholes and Williams—8.

Those who voted in the negative, were

Messrs. Botkin, Gardner, Goodell, Horn, Merrell, Murphy, Smith and Sprague—8.

Mr. Smith moved to reconsider the said vote on the passage of said bill No. 147, (A.);

Which was agreed to; and,

On motion of Mr. Smith,

Said bill No. 147, (A.) was laid on the table.

On motion of Mr. Murphy, bill

No. 93, (A.) a bill to authorize the electors of Lafayette county to vote on the removal of the county seat,

Was taken up;

And the question being on concurring in the amendments of the committee of the whole to said bill No. 93, (A.)

Mr. Chase moved a call of the Senate,

Mr. Cothren was reported absent;

And Mr. Cothren having appeared in his seat, further proceedings in the call were suspended.

And the question recurring on concurring in the amendments of the committee of the whole to said bill No. 93, (A.)

Mr. Cothren moved that said bill and amendments be indefinitely postponed;

Which was not agreed to.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Chase, Cothren, Goodell, Kinney and Smith—5.

Those who voted in the negative, were

Messrs. Botkin, Boyd, Fisher, Gardner, Horn, Merrell, Murphy, Norton, Sholes, Sprague and Williams—11.

And the question recurring on concurring in the amendments of the committee of the whole to said bill No. 93, (A.)

They were concurred in.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Fisher, Gardner, Horn, Kinney, Murphy, Norton, Sholes, Sprague and Williams—9.

Those who voted in the negative, were

Messrs. Botkin, Boyd, Chase, Cothren, Goodell, Merrell and Smith—7.

And the question being on ordering said bill to be read a third time,

On motion of Mr. Horn,

All rules were suspended, and said bill No. 93, (A.) was ordered to a third reading now;

And said bill No. 93, (A.)

Was read a third time.

And the question being on the passage of said bill No. 93, (A.)

It was passed.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Fisher, Gardner, Horn, Kinney, Murphy, Norton, Sholes, Sprague and Williams—9.

Those who voted in the negative, were

Messrs. Botkin, Boyd, Chase, Cothren, Goddell, Merrell and Smith—7.

Mr. Murphy moved to amend the title as follows:

Strike out all after the word "bill" and insert as follows:

"To establish the county seat of Lafayette county;"

Which was agreed to;

And the title as amended was agreed to.

On motion of Mr. Goodell, bill

No. 203, [A.] a bill to amend an act entitled 'an act to organize the county of Manitowoc for judicial purposes;

Was taken from the table;

And being put on its third reading, said bill No. 203, (A.) was read a third time, passed,

And the title agreed to.

Mr. Boyd from the committee on enrolled bills made the following report:

The committee on enrolled bills report,

No. 131, (A.) a bill to organize the town of La Prairie in the county of Rock;

No. 150, [A.] a bill to authorize the trustees of school district number five in the town of Turtle, Rock county, to levy a tax to build a school house;

No. 204, (A.) a bill to vacate a part of Johnson street in the village of Port Washington;

No. 161, [A.] a bill for the relief of persons confined in jail on civil process;

No. 91, [S.] a bill relating to the sale of spirituous liquors;

As correctly enrolled.

On motion of Mr. Boyd,

Senate adjourned until 10 o'clock on Monday morning.

MONDAY, March 26, 1849.

Prayer by the Rev. Mr. Read.

On motion of Mr. Boyd,

The reading of the journal of Saturday was dispensed with.

Mr. Botkin presented the petition of D. R. Sparks and 14 others, on the subject of the division of the town of Madison in Dane county;

Which was referred to the committee on town and county organization.

Mr. Kinney, from the chair, offered the following resolution:

Resolved, by the Senate and Assembly, That the act on the assessment and collection of taxes be signed by the presiding officers of the two houses, and that the enrolling committee be directed to present the same to the Governor for his approval, and that the Secretary be directed to cause the same to be published in some newspaper printed in Madison immediately after its approval.

And the said resolution being under consideration,

Mr. Chase moved to strike out the latter clause of said resolution;

Which was not agreed to.

Mr. Smith moved to reconsider the vote by which Senate refused to strike out the said latter clause;

Which was agreed to.

And the question recurring on striking out said latter clause,

It was agreed to.

And the resolution as amended was adopted.

On motion of Mr. Gardner,

The following resolution,

Resolved, by the Senate and Assembly, That the joint committee of one from each house, appointed to examine the enrolled bills reported by the Revisers and Compiling committee, and to make corrections, &c., be, and they are hereby authorized to strike out the words "Judge of Probate, or Probate Judge," wherever they occur in an act in relation to counties and county officers, and chapter of elections, other than for town officers, where necessary, and to insert "Judge of the County Court, or County Judge," and further to strike out from the first mentioned act, sections 72, 73 and 74, which provide for the election of Judges of Probate, and to cause the pages on which said sections occur, to be re-enrolled.

Was taken from the table.

And said resolution being under consideration,

Mr. Gardner moved to amend the same by striking out all after the word "resolved," and inserting as follows, as a substitute:

"By the Senate and Assembly, That the joint committee of one from each House, appointed to examine the enrolled bills reported by the Revisers and Compiling committee and to make corrections, &c., be and they are hereby authorized to strike out the words "Judges of Probate" in section 3 of the chapter of "elections other than for town officers," and all of section 72 of an act in relation to "county and county officers," and to cause the page on which the last mention section stands to be re-enrolled.

Which was agreed to.

And the resolution as amended was adopted.

Mr. Botkin from the committee on State affairs, to whom had been referred bill

No. 162, [A.] a bill on mechanics and laborers' lien;

Reported the said bill back with amendments;

And said bill No. 162, [A.]

Was read a second time.

Mr. Sprague presented the petition of Hatton A. Farnham and others, electors of Jefferson county, on the subject of a State Prison;

Which was referred to the committee on that subject.

Mr. Fisher from the committee on roads and bridges, to whom had been referred bill

No. 200, [A.] a bill to authorize the construction of a bridge across Nepasink Lake,

Reported said bill back to the Senate without amendment.

Mr. Kinney from the committee on claims, to whom the subject had been referred, reported as follows:

The joint committee on claims to whom was referred Territorial Script issued at the sessions of legislature, held December, 1842, and January 1843, usually called the "Bogus Sessions,"

REPORT:

That they have had the same under advisement, and are of the opinion that said Scrip ought not to be paid by the State—and your committee herewith return the said Scrip to the Senate, and recommend that the same be deposited with the Wisconsin State Historical Society, subject to the inspection of the curious in matters of political economy.

JOHN M. WELLS,
HERMON S. THORP,
A. W. POPE,
IRA W. BIRD,
MORGAN S. NOBLE,
Assembly.
ASA KINNEY,
DENNIS MURPHY,
O. W. NORTON,
Senate.

Which report was received.

Mr. Murphy from the committee on claims, reported bill No. 153, [S.] a bill to appropriate the several sums therein named;

Which was read a first and second times.

A message from the Assembly, by their chief clerk:

Mr. President: —

I am directed to present for your signature,

"An act to incorporate the Walworth county Academy;"

"An act relating to the distribution of the income of the school fund;"

"An act additional to an act to amend an act to authorize the further sale of canal lands and for other purposes, and the act amendatory thereto, approved March 11, 1848;"

"An act supplementary to an act to incorporate the Milwaukee Mutual Fire Insurance Company, approved December 27, 1837, and an act to amend an act to incorporate the Milwaukee Mutual Fire insurance Company, approved Feb. 4, 1847;"

"An act relating to the sale of spirituous liquors;"

"An act for the relief of persons confined in jail on civil process;"

"An act to organize the town of La Prairie in the county of Rock;"

"An act to vacate a part of Johnson street in the village of Port Washington;"

And,

"An act to authorize the trustees of school district number five in the town of Turtle, Rock county to levy a tax to build a school house;"

Which have been signed by the Speaker of the Assembly.

The Assembly have concurred in the amendments of the Senate to the following bills, to wit:

No. 134, [A.] a bill to legalize the acts of certain town officers of the town of Spring Prairie, and to declare a road therein described a lawful highway;

No. 141, [A.] a bill to authorize the construction of a bridge across Fox river; and,

No. 156, [A.] a bill to authorize the alderman of the first ward of the city of Milwaukee to levy a special tax to raise money for the purpose of erecting a market house in said ward.

The Assembly has adopted the following joint resolution, to wit:

Whereas, J. L. Enos proposes to publish an Educational Journal, entitled the "North Western Educator," at Racine or Milwaukee, and as it is important that some acknowledged medium of communication should exist between the Superintendent of public Instruction, and the several school offices of the State, Therefore,

Resolved, by the Senate and Assembly, That the "North Western Educator," published by James L. Enos, be the medium of communication between the Department of the Superintendent of Public Instruction and district, town, and county of the State, provided that no charge be made to the State on school fund, or any of said offices, by virtue of this resolution;

In which the concurrence of the Senate is requested.

The Assembly have concurred in the passage of

No. 73, [S.] a bill to punish trespass on University and School lands;

No. 117, [S.] a bill to amend an act entitled "an act to incorporate the Southport and Beloit road company;

No. 124, [S.] a bill to incorporate the Watertown Academy;

No. 134, [S.] an act relative to informations, writs of mandamus and prohibition;

No. 135, [A.] an act relating to private nuisances and general provisions relating to actions concerning real estate;

No. 138, [S.] a bill concerning navigable rivers;

And,

No. 139, [S.] of the incorporations of companies to construct plank and turnpike roads;

Without amendments.

And have passed,

No. 106, [A.] a bill for laying out certain roads therein described;

No. 139, [A.] a bill to amend an act entitled "an act to incorporate the city of Milwaukee;

No. 160, [A.] a bill to prevent forcible entries and unlawful detainers;

No. 175, [A.] an act for revising and consolidating the general Statutes of the State of Wisconsin;

No. 177, [A.] a bill for the foreclosure of mortgages by advertisement;

No. 180, [A.] bill to provide for tribunals of conciliation in and for the several towns in this State and the regulation thereof;

No. 209, [A.] a bill to declare the county jail of Waukesha county the State Prison until otherwise provided by law;

No. 223, [A.] a bill concerning the money of account;

And,

No. 225, [A.] a bill to authorize the construction of a dam across the Peckatonica river in Lafayette county;

In all of which the concurrence of the Senate is requested.

The Governor has informed the Assembly that he did on the 22d instant, approve, sign and deposite in the office of the Secretary of State,

"An act to organize the town of Grand Chute in Brown county;"

"An act to authorize the laying out of a certain road in the town of Madison;"

"An act submitting the question of the extension of the right of suffrage to a vote of the people;"

"An act declaring a certain road in the town of Rosendale in Fond du Lac county, to be a lawful highway;"

"An act relating to seals;"

"An act to alter the boundaries of certain towns in the county of Marquette;"

"An act to divide the town of Brighton in the county of Winnebago;"

And the said message was taken up,

And the following bills,

No. 106 A., No. 139 A., No. 160 A., No. 175 A., No. 177 A., No. 180 A., No. 209 A., No. 223 A., and No. 225 A.,

Were severally read a first and second times.

And the following resolution, to wit,

Whereas, J. L. Enos proposes to publish an educational journal entitled the North-Western Educator, at Racine or Milwaukee; and as it is important that some acknowledged medium of communication should exist between the Superintendent of Public Instruction and the several school officers of the State;

Therefore,

Resolved, by the Senate and Assembly, that the North-Western Educator, published by James L. Enos, be the medium of of communication between the department of the Superintendent of Public Instruction and district, town and county of the State; Provided that no charge be made to the State or school fund, or any of said officers, by virtue of this resolution;

Being under consideration,

And the question being on concurring in said resolution,

It was not concurred in.

No. 200, [A.] a bill to authorize the construction of a dam across Nepasink lake,

Was read third time, passed, and the title agreed to.

On motion of Mr. Sprague, bill

No. 88, [S.] a bill to repeal the law regulating tolls for grinding,

Was taken from the table and returned to the general file.

On motion of Mr. Chase,

Senate resolved itself into a committee of the whole on the general file of bills;

Mr. Sprague in the chair.

After some time spent therein, the committee rose, and by their chairman reported the following bills, to wit:

No. 205, [A.] a bill authorizing the maintenance of actions by persons holding claims on United States lands;

No. 206, [A.] a bill concerning electric telegraph lines;

No. 207, [A.] a bill concerning religious societies;

No. 211, [A.] a bill to authorize the appointment of commissioners to take the acknowledgment of deeds and other contracts, and depositions, in other States;

No. 212, [A.] a bill to punish trespass on lands;

And,

No. 224, [A.] a bill to leganize certain roads in Winnebago county;

Without amendment.

And the following bills, to wit,

No. 68, [A.] a bill repealing all laws providing for the licensing of the sale of spirituous liquors;

No. 186, [A.] a bill to prevent the sale of intoxicating liquors to Indians;

No. 73, [A.] a bill to provide for the location of a State prison;

No. 208, [A.] a bill to restrain unauthorized banking;

And,

No. 88, [S.] a bill to repeal the law regulating tolls for grinding;

With amendments to each;

And reported progress on the general file, and ask leave to sit again;

Which was granted.

The amendments of the committee of the whole to bills

No. 68 A., No. 186 A., No. 208 A., and No. 88 S.,

Were severally concurred in.

And said bills No. 68, [A.] and No. 186, [A.],

Were severally ordered to be read a third time.

And said bill No. 88, [S.],

Was ordered to be engrossed and read a third time.

Mr. Williams moved that bill

No. 208, [A.] a bill to restrain unauthorized banking,

Be referred to the committee on expiration and re-enactment of laws;

Which was not agreed to.

Mr. Gardner moved that said bill No. 208, [A.],

Be referred to the committee on incorporations;

Which was agreed to.

The amendments of the committee of the whole to bill

No. 73, [A.] a bill to provide for the location of a State prison,

Being under consideration,

The first amendment was concurred in;

And the question being on concurring in the second amendment,

On motion of Mr. Horn,

Senate adjourned until 3 o'clock this afternoon.

SAME DAY, 3 O'CLOCK P. M.

The pending question being on on concurring in the second amendmend of the committee of the whole to bill

No. 73, [A.] a bill to provide for the lacation of a State prison,

It was concurred in;

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Boyd, Fisher, Gardner, Kinney, Merrell, Murphy, Sholes and Smith—8.

Those who voted in the negative, were

Messrs. Botkin, Chase, Goodell, Norton, Sprague and Williams—6.

The third amendment was concurred in;

And the question being on ordering said bill to a third reading,

Mr. Fisher moved to postpone the consideration thereof, until the fourth day of July next;

Which was not agreed to;

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Botkin, Boyd, Chase, Fisher, Kinney, Murphy and Norton—7.

Those who voted in the negative, were

Messrs. Cothren, Gardner, Goodell, Merrell, Sholes, Smith, Sprague and Williams—8.

On motion of Mr. Norton,

Said bill No. 73, [A.] was referred to the committee on the judiciary.

Senate resolved itself into a committee of the whole on the general file of bills;

Mr. Botkin in the chair.

After some time spent therein, the committee rose, and by their chairman reported the following bills:

No. 153, [S.] a bill to appropriate the several sums therein named;

No. 217, (A.) a bill to appropriate the several sums therein named;

With amendments to each;

And that they have made some progress in

No. 152, [S.] a bill to provide for levying a State tax;

And reported progress on the general file of bills,

And asked leave to sit again;

Which was granted.

Mr. Boyd, from the committee on enrolled bills, reported as correctly enrolled,

No. 192, [A.] a bill to vacate part of the plat of the city of Superior, in Dane county;

No. 187, [A.] a bill relating to the admission of attorneys

No. 202, [A.] a bill to provide for laying out a State road;

No. 166, [A.] a bill to authorize the issuing of patents for canal lands sold and not patented, and to provide for the payment and discharge of the mortgages thereon;

No. 141, [A.] a bill to authorize the construction of a bridge across Fox river;

No. 140, [A.] a bill to authorize the construction of a bridge across Fox river;.

No. 156, [A.] a bill to authorize the aldermen of the first ward of the city of Milwaukee to levy a special tax, to raise money for the purpose of erecting a market-house in said ward.

Mr. Boyd, from the committee on enrolled bills, reported as follows:

The committee on enrolled bills would report, that they have this day presented to the Governor for his approval, "An act to incorporate the Walworth County Academy;"

"An act additional to an act to authorize the further sale of the canal lands, and for other purposes, and the act amendatory thereto, approved March 11, 1848;"

"An act supplementary to an act to incorporate the Milwaukee Mutual Fire Insurance Company, approved December 27, 1837;" and an act to amend an act to incorporate the Milwaukee Mutual Fire Insurance Company, approved February 4, 1847;"

"An act to vacate part of Johnson street, in the village of Port Washington;"

"An act to organize the town of La Prairie, in the county of Rock;"

"An act to authorize the trustees of school district number five, in the town of Turtle, Rock county, to levy a tax to build a school-house."

A message from the Assembly by their chief clerk:

Mr. President—

I am directed to present for your signature,

"An act to authorize the construction of a bridge across Fox river;"

"An act to provide for laying out a State road;"

"An act to authorize the aldermen of the first ward of the city of Milwaukee to levy a special tax, to raise money for the purpose of erecting a market-house in said ward;"

"An act to authorize the construction of a bridge across Fox river;"

"An act to authorize the issuing of patents for canal lands sold and not patented, and to provide for the payment and discharge of the mortgages thereon;"

"An act to vacate part of the plat of the city of Superior, in Dane county;" and,

"An act relating to the admission of attorneys at law."

The Assembly have concurred in the adoption of the following resolutions, to wit:

Resolved, by the Senate and Assembly, that the act on the assessment and collection of taxes, be signed by the presiding officers of the two houses, and the enrolling committee be directed to present the same to the Governor for his approval;

And,

Resolved, by the Senate and Assembly, that the joint committee of one from each house, appointed to examine the enrolled bills reported by the revisers and compiling committee, and to make corrections, &c., be, and they are hereby authorized to strike out the words "judges of probate," in section 3 of the chapter of elections other than town officers, and to cause the page on which the last mentioned section stands to be re-enrolled;

In which the concurrence of the Senate is requested.

And also concurred in the amendments of the Senate, to

No. 62, [A.] a bill to lay out and establish certain roads therein named.

The Governor has informed the Assembly that he did on this day, approve, sign and deposite in the office of the Secretary of State,

"An act to authorize the trustees of school district number five, in the town of Turtle, Rock county, to levy a tax to build a school-house;"

"An act to organize the town of La Prairie, in the county of Rock;"

And,

"An act to vacate a part of Johnson street, in the village of Port Washington."

The Assembly have adopted the following joint resolutions instructing the Hon. Isaac P. Walker to resign his seat as United States Senator:

The Assembly have passed

No. 188, [A.] a bill in relation to printing;

No. 218, [A.] a bill concerning timber and lumber floating upon adjoining waters, and carried upon adjoining lands;

No. 226, [A.] a bill concerning costs and fees;

No. 219, [A.] a bill concerning public shows and exhibitions;

No. 220, [A.] a bill concerning the incorporation of villages;

No. 227, [A.] a bill for the distribution of the arms of the State;

No. 228, [A.] a bill to defray the contingent expenses of the executive office;

No. 229, [A.] a bill to authorize the trustees of Plum Grove school district, in the town of Cassville, Grant county, to levy a tax to build a school-house; and,

No. 231, [A.] a bill supplemental to an act to establish the University of Wisconsin;

In all of which the concurrence of the Senate is requested.

The Assembly have concurred in the passage of

No. 14, (S.) resolution relative the military reserve at Fort Winnebago;

No. 140, (S.) a bill concerning bills of exchange and promissory notes;

No. 141, (S.) a bill concerning grand and petit jurors;

No. 142, (S.) a bill concerning weights and measures;

No. 144, (S.) a bill to appropriate to the county of St. Croix the sum therein named;

No. 146, (S.) of masters and apprentices;

No. 147, (S.) of the preservation of the public health;

No. 149, (S.) of libraries and lyceums;

No. 151, (S.) of the racing of animals;

Without amendments. And,

No. 137, (S.) of the relief and support of the poor;

No. 150, (S.) of dogs;

With amendments;

In which the concurrence of the Senate is requested.

On motion of Mr. Horn,

Senate adjourned until half-past seven o'clock this evening.

SAME DAY HALF PAST SEVEN O'CLOCK, IN THE EVENING.

The question being on concurring in the amendments of the committee of the whole to bill

No. 217, (A.) a bill to appropriate the several sums therein named,

Mr. Smith moved that bill No. 117, (A.)

Be referred to the committee on legislative expenditure, with instructions to bring in an amendment so that the chief clerks of the two houses shall have four dollars per day, the assistant clerks four dollars per day, the enrolling clerks four dollars per day, and each of the other clerks three dollars per day.

Mr. Horn moved to amend the same by inserting after the word "clerks" in the last line "and other officers;"

Which was not agreed to.

Mr. Goodell moved to lay the instructions on the table;

Which was agreed to.

An the question recurring on referring said bill No. 217, (A.) to the committee on legislative expenditures,

It was agreed to.

The amendments of the committee of the whole to bill

No. 153, (S.) a bill to appropriate the several sums therein named,

Being under consideration,

The second amendment was non-concurred in.

All the remaining amendments were concurred in.

And said bill No. 153, (S.)

Was ordered to be engrossed and read a third time.

On motion of Mr. Horn,

All rules were suspended,

And the following bills,

No. 205, (A.) a bill authorizing the maintenance of actions by persons holding claims on U. S. Lands;

No. 206, (A.) a bill concerning electric telegraph lines;

No. 207, (A.) a bill concerning religious societies;

No. 211, (A.) a bill to authorize the appointment of commissioners to take the acknowledgement of deeds and other contracts and depositions in other States;

No. 212, (A.) a bill to punish trespass on lands;

No. 224, (A.) a bill to legalize certain roads in Winnebago county;

Were severally read a third time, passed,

And their titles severally agreed to.

The message of the Assembly was taken up,

And the following bills

No. 188, (A.) a bill in relation to printing;

No. 218, (A.) a bill concerning timber and lumber floating upon adjoining waters and carried upon adjoining lands;

No. 219, (A.) a bill concerning public shows and exhibitions;

No. 220, [A.] a bill concerning the incorporation of villages;

No. 227. [A.] a bill for the distribution of the arms of the State;

No. 228, [A.] a bill to defray the contingent expenses of the executive office;

No. 229, [A.] a bill to authorize the trustees of Plum Grove school district, in the town of Cassville, Grant county, to levy a tax to build a school-house;

No. 231, [A.] a bill supplemental to an act to establish the University of Wisconsin;

No. 226, (A.) a bill concerning costs and fees;

Were severally read a first and second times.

The amendments of Assembly to bill

No. 137, (S.) of the relief and support of the poor,

Were severally concurred in.

The amendment of Assembly to bill No. 150, (S.) of dogs, was non-concurred in.

The following resolution was taken up:

Resolved, by the Senate and Assembly of the State of Wisconsin, That the course of Hon. I. P. Walker, one of the Senators of this State in the Congress of the United States, in presenting and voting for an amendment to the general appropriation bill providing for a government in California and New Mexico, west of the Rio Grande, which did not contain a provision forever prohibiting the introduction of slavery or involuntary servitude in said Territories, has violated his oft-repeated, as well as his solemn written pledge given before his election, on that subject, and outraged the feelings and misrepresented those who elected him to that station, and has openly violated the instructions contained in the resolutions passed by this body on the subject of slavery at its present session;

Therefore,

Resolved, that Mr. Walker is hereby instructed immediately to resign his seat in the United States Senate.

Resolved, that the Hon. Henry Dodge, our other Senator, in voting against the proposition of Mr. Walker, as he did on the 20th of February last, has represented the views and wishes of his constituents on that subject, for which we express to him our most cordial approval of his course.

Resolved, that the Governor is requested to forward a copy of of the foregoing resolutions to the President of the Senate, and and each of our Senators and Representatives in Congress.

And the said Resolutions being under consideration,

On motion of Mr. Boyd,

The said resolutions were laid on the table until to-morrow evening at seven o'clock.

On motion of Mr. Sholes,

Senate resolved itself into a committee of the whole on the general file of bills;

Mr. Gardner in the chair.

After some time spent therein, the committee rose, and by their chairman reported bill

No. 152, (S.) a bill to provide for levying a State tax;

With amendments;

And reported progress in the general file, and ask leave to sit again;

Which was granted;

And the question being on concurring in the amendments of the committee of the whole to said bill No. 152, (S.),

They were concurred in;

And said bill No. 152, (S.) was ordered to be engrossed and read a third time.

Mr. Norton, from the committee on legislative expenditures, to whom had been referred bill

No. 217, (A.) a bill to appropriate the several sums therein named,

Reported said bill back to the Senate, with a substitute as an amendment;

And said bill No. 217 was read a second time.

On motion of Mr. Williams,

Senate resolved itself into committee of the whole on said bill No. 217, (A.);

Mr. Williams in the chair.

After some time spent therein, the committee rose, and by their chairman reported said bill No. 217, (A.) back to the Senate, with a substitute as an amendment;

And the question being on concurring in the report of the committee of the whole,

It was agreed to, and the substitute adopted.

On motion of Mr. Horn,

All rules were suspended in relation to said bill No. 217, (A.) and it was ordered to be read a third time now;

And said bill No. 217, (A.) being put on its third reading, and the question being on the passage of said bill,

It was determined in the negative;

And the ayes and having been called for,

Those who voted in the affirmative, were

Messrs. Chase, Goodell, Horn, Kinney, Norton, Sholes and Sprague—7.

Those who voted in the negative, were

Messrs. Botkin, Boyd, Fisher, Gardner, Merrell, Murphy, Smith and Williams—8.

Mr. Williams moved to reconsider the vote by which said bill No. 217, (A.) was negatived.

Mr. Botkin moved to lay the said motion to reconsider on the table;

Which was not agreed to;

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Botkin, Boyd, Gardner, Merrell, Murphy and Smith —6.

Those who voted in the negative, were

Messrs. Chase, Fisher, Goodell, Horn, Kinney, Norton, Sholes, Sprague and Williams—9.

And the question recurring on reconsidering the said vote by which said bill No. 217, (A.) was negatived,

It was not agreed to;

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Goodell and Sprague—2.

Those who voted in the negative, were

Messrs. Botkin, Boyd, Chase, Fisher, Gardner, Horn, Kinney, Merrell, Murphy, Norton, Sholes, Smith and Williams—13.

A message from the Assembly, by their chief clerk:

Mr. President:—

I am directed to inform you, that under the following resolution, to wit,

Resolved, by the Assembly, (the Senate concurring,) that the joint select committee on enrolled bills, be, and are hereby directed and empowered to fill the blank in section two in the chapter of homicide, with years.

The clause in said section, in which said blank is found, reads as follows:

"When perpetrated without any design to effect death, by a person engaged in the commission of any felony, shall be murder in the third degree, and shall be punished by imprisonment in the State prison not more than years."

The Assembly have instructed the committee to fill said blank with the words, "fourteen years, nor less than seven;"

In which the concurrence of the Senate is requested.

On motion of Mr. Goodell,

Senate adjourned until nine o'clock to-morrow morning.

TUESDAY, March 27, 1849.

On motion of Mr. Chase,

The reading of the journal of yesterday was dispensed with.

The President of the Senate appeared in his seat.

The President laid before the Senate the following letter from the commissioners to revise the laws:

Hon. JOHN E. HOLMES,
President of the Senate, &c:

Sir: We have the honor herewith to present additional chapters of our report as commissioners to revise the laws.

You will please lay them before the Legislature.

Very respectfully,
Your obedient servants,
C. M. BAKER,
M. FRANK.

Accompanying said letter were the following bills:

No. 154, (S.) of proceedings as for contempts, to enforce civil remedies, and to protect the rights of parties in civil actions;

No. 155, (S.) of proceedings against corporations in chancery;

No. 156, (S.) of proceedings by and against corporations in courts of law;

No. 157, (S.) general provisions relating to corporations;

Which were severally read a first and second times.

And,

On motion of Mr. Chase,

The printing of said bills was dispensed with;

And said bill No. 154, (S.) was referred to the committee on incorporations.

And said bills No. 155 S., No. 156 S., and No. 157 S., were severally referred to the committee on expiration and re-enactment of laws.

Mr. Williams, from the committee on incorporations, to whom had been referred bill

No. 208, (A.) a bill to restrain unauthorized banking,

Reported said bill back to the Senate without amendment, and recommended its passage.

Mr. Merrell, from the committee on engrossed bills, reported as correctly engrossed, bill

No. 88, (S.) a bill to repeal the law regulating tolls for grinding grain.

A message from the Governor:

To the Senate—

I have this day approved, signed and deposited in the office of the Secretary of State, acts of the following titles, to wit:

"An act additional to an act to amend an act to authorize the further sale of canal lands and for other purposes, and the act amendatory thereto, approved March 11, 1848;"

"An act to incorporate the Walworth county Academy;"

And,

"An act supplementary to an act to incorporate the Milwaukee Mutual Fire Insurance Company, approved December 27, 1837, and an act to amend an act to incorporate the Milwaukee Mutual Fire insurance Company, approved Feb. 4, 1847."

NELSON DEWEY.

Executive Department,
March 21, 1849.

The message of the Assembly was taken up,

And the following resolution:

Resolved, by the Assembly, (the Senate concurring,) that the joint select committee on enrolled bills, be, and are hereby directed and empowered to fill the blank in section two in the chapter of homicide, with years.

The clause in said section in which said blank is found, reads as follows:

"When perpetrated without any design to effect death, by a person engaged in the commission of any felony, shall be murder in the third degree, and shall be punished by imprisonment in the State prison not more than years."

The Assembly have instructed to fill said blank with the words, "fourteen years, nor less than seven;"

Being under consideration,

It was adopted.

No. 88, (S.) a bill to repeal the law regulating tolls for grinding grain,

Was read a third time and passed.

Mr. Sprague moved to amend the title as follows:

Strike out all after the word bill, and insert, "to legalize organization of school district number one, in town of Summit;"

Which was agreed to;

And the title, as amended, was agreed to.

No. 68, (A.) a bill repealing all laws providing for the licensing of the sale of spirituous liquors,

Being put on its third reading,

Mr. Smith moved to recommit said bill No. 68, (A.) to the committee of the whole;

Which was not agreed to;

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Kinney, Merrell, Murphy, Norton and Smith—5.

Those who voted in the negative, were

Messrs. Botkin, Boyd, Chase, Gardner, Goodell, Horn, Sholes, Sprague and Williams—9.

And the question recurring on the passage of said bill No. 68, (A.),

It was agreed to;

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Botkin, Chase, Gardner, Goodell, Horn, Sholes, Sprague and Williams—8.

Those who voted in the negative, were

Messrs. Boyd, Kinney, Merrell, Murphy and Smith—5.

Mr. Williams moved a reconsideration of the vote by which said bill No. 68, (A.) was passed.

Mr. Williams moved a call of the house;

And the roll having been called,

Messrs. Cothren and Fisher were reported absent.

The absentees having appeared in their seats, further proceedings in the call were suspended;

And the question recurring on reconsidering the vote by which said bill No. 68, (A.) had been passed,

It was agreed to;

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Botkin, Boyd, Cothren, Gardner, Kinney, Merrell, Murphy, Norton, Smith and Williams—10.

Those who voted in the negative, were

Messrs. Chase, Fisher, Goodell, Horn, Sholes and Smith—6.

And the question recurring on the passage of said bill No. 68, (A.),

It was decided in the negative;

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Botkin, Chase, Gardner, Goodell, Horn, Sholes and Sprague—7.

Those who voted in the negative, were

Messrs. Boyd, Cothren, Fisher, Kinney, Merrell, Murphy Norton, Smith and Williams—9.

No. 186, (A.) a bill to prevent the sale of intoxicating liquors to Indians,

Was read a third time, passed, and the title agreed to.

A message from the Assembly, by their chief clerk:

Mr. President—

The Assembly has concurred in the passage of

No. 143, (S.) a bill to provide for the payment of certain persons therein named,

Without amendment;

And has passed

No. 232, (A.) a bill to authorize school district number seven, in the town of Ottowa, Waukesha county, to levy a tax to build a school-house;

In which the concurrence of Senate is requested.

On motion of Mr. Horn,

No. 98, (S.) a bill to provide for the publication of certain laws therein mentioned, in the German and Norwegian languages,

Was taken up,

And the question being on the passage of said bill,

Mr. Horn moved a call of the house;

And the roll having been called,

Messrs. Cothren and Kinney were reported absent.

The absentees having appeared in their seats,

Further proceedings in the call were suspended;

And the question recurring on the passage of said bill No. 98, (S.),

It was decided in the negative;

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Boyd, Cothren, Horn, Kinney, Sholes, Smith and Sprague—7.

Those who voted in the negative, were

Messrs. Botkin, Chase, Fisher, Gardner, Goodell, Merrell Murphy, Norton and Williams—9.

On motion of Mr. Norton, bill

No. 196, (A.) a bill to enable the town of Janesville, in the county of Rock, to apply the moneys raised from licenses granted for the sale of spirituous liquors in said town, to the support of the poor,

Was taken from the table and put on its third reading;

And the question being on the passage of said bill No. 196, (A.)

It was passed;

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Botkin, Fisher, Gardner, Goodell, Merrell, Norton, Smith, Sprague and Williams—9.

Those who voted in the negative, were

Messrs. Boyd, Chase, Horn, Kinney, Murphy and Sholes—6.

The title of said bill was agreed to.

A message from the Assembly, by their chief clerk:

Mr. President: —

In am directed to inform you that the Asssembly has non-concurred in the amendments of the Senate to

No. 93, (A.) a bill to authorize the electors of Lafayette county to vote on the removal of the county seat;

And have indefinitely postponed the consideration of the message of the Senate in relation to

No. 150, (S.) of dogs.

The Assembly has concurred in the passage of

No. 145, (S.) of guardians and wards,

Without amendment;

And has passed

No. 182, (A.) a bill relating to courts held by justices of the peace;

In which the concurrence of the Senate is requested.

The Senate resolved itself into a committee of the whole on the general file of bills;

Mr. Sholes in the chair.

After some time spent therein the committee rose, and by their chairman reported the following bills:

No. 106, [A.] a bill for laying out certain roads therein described;

No. 160, [A.] a bill to prevent forcible entries and unlawful detainers;

And,

No. 220, [A.] a bill concerning the incorporation of villages;

Without amendment;

And the following bills,

No. 162, [A.] a bill on mechanics' and laborers' liens;

No. 139, [A.] a bill to amend an act entitled "an act to incorporate the city of Milwaukee;" and,

No. 226, [A.] a bill concerning costs and fees;

With amendments to each;

And reported progress on the general file of bills, and ask leave to sit again;

Which was granted.

And the report of the committee of the whole being under consideration,

The following bills,

No. 106 A., No. 160 A., and 220 A., were severally ordered to be read a third time.

The amendment of the committee of the whole to bill No. 226, [A.],

Being under consideration,

It was non-concurred in.

Mr. Gardner moved to further amend said bill as follows:

In section 6, strike out all from "fees to be allowed the party recovering judgment, in case an attorney shall have been employed," to "fees in the office of Secretary of State;"

Which was agreed to;

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Boyd, Chase, Fisher, Gardner, Goodell, Kinney, Murphy, Norton and Sholes—9.

Those who voted in the negative, were

Messrs. Botkin, Cothren, Horn, Merrell, Smith, Sprague and Williams—7.

Mr. Botkin moved further to amend said bill as follows:

In section relating to fees of jurors, strike out "one dollar," and insert "one dollar and fifty cents;"

Which was agreed to;

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Botkin, Boyd, Cothren, Fisher, Goodell, Horn, Merrell, Norton, Sprague and Williams—10.

Those who voted in the negative, were

Messrs. Chase, Gardner, Kinney, Murphy, Sholes and Smith —6.

And said bill No. 226, [A.]

Was ordered to be read a third time.

On motion of Mr. Cothren,

All rules were suspended in relation to said bill,

And it was ordered to its third reading now;

And No. 226, [A.]

Was read a third time and passed.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Botkin, Boyd, Chase, Cothren, Fisher, Gardner, Goodell, Horn, Merrell, Murphy, Norton, Sholes, Smith, Sprague and Williams—15.

Mr. Kinney voted in the negative.

The title of the said bill was agreed to.

The amendments of the committee of the whole to bill No. 162, [A.] a bill on mechanics and laborers lien,

Were severally concurred in;

And said bill No. 162, [A.]

Was ordered to a third reading.

The amendment of the committee of the whole to bill No. 139, [A.] a bill to amend an act entitled "an act to incorporate the city of Milwaukee,

Which was to strike out all after the enacting clause,

Was concurred in.

Mr. Kinney offered the following resolution:

Resolved, by the Senate and Assembly, That there be a joint select committee of one from the Senate, and one from the Assembly to settle with the Treasurer with power to cancel the vouchers in his possession, first causing credit to be given to the Treasurer in the Secretary's office for the same, and to report their doings to the legislature;

Which was considered and adopted.

Mr. Boyd from the committee on enrolled bills, reported as follows:

The committee on enrolled bills would report that they have this day presented to the Governor for his approval;

"An act to vacate part of the plat of the city of Superior, in Dane county;"

"An act to authorize the issuing of patents for canal lands sold and not patented, and to provide for the payment and discharge of the mortgages thereon;"

"An act to provide for laying out a State road;"

"An act to authorize the construction of a bridge across Fox river;"

"An act to authorize the aldermen of the first ward of the city of Milwaukee to levy a special tax, to raise money for the purpose of erecting a market-house in said ward;"

"An act relating to the admission of attorneys at law;"

"An act to authorize the construction of a bridge across Fox river."

Mr. Norton gave the following notice:

The joint committee on legislative expenditures give notice that in obedience to instructions contained in a joint resolution, which passed the Senate on Tuesday the 20th inst., they will, on to-morrow morning, ask leave to introduce a bill or bills for the payment of the expenses of the present session of the legislature.

O. W. NORTON,
F. A. SPRAGUE,
JAMES FISHER,
Of Senate.
SAMUEL PRATT,
JEDEDIAH KIMBALL,
Of Assembly.

March 27, 1847.

On motion of Mr. Cothren,

All rules were suspended in relation to bill

No. 220, [A.] a bill concerning the incorporation of villages;

And said bill was ordered to its third reading now;

And said bill No. 220, [A.]

Was read a third time, passed,

And the title agreed to.

On motion of Mr. Goodell,

Senate adjourned until half-past 2 o'clock P. M.

SAME DAY, HALF-PAST TWO O'CLOCK, P. M.

Mr. Botkin on leave presented the accounts of Atwood & Buck, and of Tenney, Smith and Holt, against the State;

Which were referred to the committee on legislative expenditures.

Mr. Chase from the committee on expiration and re-enactment of laws, reported back to the Senate, without amendment, the following bills:

No. 155, [S.] of proceedings against corporations in chancery;

No. 156, [S.] of proceedings by and against corporations in courts of law;

No. 157, [S.] general provisions relating to incorporations.

Mr. Gardner, on leave, from the committee on the judiciary to whom said bill had been referred, reported back bill

No. 73, [A.] a bill to provide for the location of a State Prison,

With a substitute as an amendment.

And said bill was read a second time.

Mr. Fisher from the committee on engrossed bills, reported as correctly engrossed, bills

No. 152, [S.] a bill to provide for levying a State tax;

And,

No. 153, [S.] a bill to appropriate the several sums therein named.

Mr. Gardner moved a reconsideration of the vote by which bill

No. 93, [S.] a bill to provide for the publication of certain laws in the German and Norwegian languages,

Was negatived,

Which was agreed to.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Boyd, Cothren, Fisher, Gardner, Goodell, Horn, Kinney, Sholes, Smith, Sprague and Williams—11.

Those who voted in the negative, were

Messrs. Botkin, Chase, Merrell, Murphy and Norton—5.

And the question being on the passage of said bill No. 98, [S.]

It was passed.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Boyd, Cothren, Gardner, Horn, Kinney, Sholes, Smith and Sprague—8,

Those who voted in the negative, were

Messrs. Botkin, Chase, Fisher, Goodell, Merrell, Murphy, Norton and Williams—8.

The President voted in the affirmative.

On motion of Mr. Smith, bill

No. 147, [A.] a bill providing for the sale of the school section in the city of Racine,

Was taken from the table;

And being put on its passage,

Mr. Smith asked the unanimous consent of Senate to offer the following amendment:

Amend section 3, by adding to it as follows:

"And shall also pay to said Board the expenses of recording such mortgage;

Which was agreed to.

And the amendment was agreed to.

And said bill No. 147, (A.) was,

On motion of Mr. Smith,

Laid on the table.

On motion of Mr. Gardner,

Senate resolved itself into a committee of the whole on the general file of bills;

Mr. Chase in the chair.

After some time spent therein the committee rose and by their chairman reported the following bills:

No. 73, [A.] a bill to provide for the location of a State Prison;

No. 177, [A.] a bill for the foreclosure of mortgages by advertisement;

And,

No. 219, [A.] a bill concerning public shows and exhibitions;

With amendments to each.

And the following bills,

No. 175, [A.] an act for revising and consolidating the general Statutes of the State of Wisconsin;

No. 180, [A.] bill to provide for tribunals of conciliation in and for the several townships in this State and the regulation thereof;

No. 188, [A.] a bill in relation to printing;

No. 209, [A.] a bill to declare the county jail of Waukesha county the State Prison until otherwise provided by law;

No. 213, [A.] a bill to provide for the annual meeting of the legislature;

No. [A.] a bill concerning the weighing of lead ore, copper ore, and other mineral substance;

No. 215, [A.] a bill to establish the university of Wisconsin;

No. 216, [A.] a bill relative to seals;

No. 218, [A.] a bill concerning timber and floating upon adjoining waters and carried upon adjoining land;

No. 223, [A.] a bill concerning the money of account;

No. 225, [A.] a bill to authorize the construction of a dam across the Peckatonica river in Lafayette county;

No. 227, [A.] a bill for the distribution of the arms of the State;

No. 228, [A.] a bill to defray the contingent expenses of the executive office;

No. 229, [A.] a bill to authorize the trustees of Plum Grove School District in the town of Cassville, Grant Co. to levy a tax to build a school house;

No. 231, [A.] a bill supplemental to an act to establish the University of Wisconsin;

No. 155, [S.] of proceedings against corporations in chancery;

No. 156, [S.] of proceedings by and against corporations in courts of law; and,

No. 157, [S.] general provisions relating to incorporations;

Without amendment;

And reported progress on the general file of bills, and ask leave to sit again;

Which was granted.

The amendment of the committee of the whole to bill

No. 73, [A.] a bill to provide for the location of a State Prison,

Being under consideration,

And the question being on concurring in said amendments, Mr. Cothren moved to strike out of the first section the words "the Governor shall appoint."

Mr. Kinney moved that said bill and pending amendments be indefinitely postponed;

Which was not agreed to.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Boyd, Chase, Fisher, Kinney, Merrell, Murphy and Norton—7.

Those who voted in the negative, were

Messrs. Botkin, Cothren, Gardner, Goodell, Horn, Sholes, Smith, Sprague and Williams—9.

And the question recurring on the motion to strike out,

It was not agreed to.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Chase, Cothren, Gardner, Goodell, Merrell, Murphy, Norton and Sholes—8.

Those who voted in the negative, were

Messrs. Botkin, Boyd, Fisher, Horn, Kinney, Smith, Sprague and Williams—8.

The President voted in the negative.

Mr. Williams moved to further amend said substitute and amendment as follows:

Strike out of the first section all to the word "commissioner" and insert "John T. Haight is hereby appointed a".

Mr. Horn moved to strike out "John T. Haight" and insert "William R. Smith;"

Which was agreed to.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Botkin, Boyd, Cothren, Fisher, Gardner, Goodell, Horn, Merrell, Murphy, Norton, Smith and Sprague—12.

Those who voted in the negative, were

Messrs. Chase, Kinney, Sholes and Williams—4.

And the question being on concurring in the amendment as amended,

It was agreed to.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Botkin, Boyd, Cothren, Fisher, Gardner, Goodell. Horn, Merrell, Murphy, Sholes, Smith and Sprague—12.

Those who voted in the negative, were

Messrs. Chase, Kinney, Norton and Williams—4.

On motion of Mr. Horn,

Rules were suspended in relation to said bill No. 73, [A.] and it was ordered to a third reading now;

And said bill No. 73, [A.]

Was read a third time and passed.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Botkin, Boyd, Cothren, Gardner, Goodell, Horn, Merrell, Murphy, Smith and Sprague—10.

Those who voted in the negative, were

Messrs. Chase, Fisher, Kinney, Norton, Sholes and Williams 6.

The title of said bill was agreed to.

The amendments of the committee of the whole to bill

No. 177, [A.] a bill for the foreclosure of mortgages by advertisement,

Were considered and non-concurred in;

And said bill was ordered to be read a third time.

The amendments of the committee of the whole to bill

No. 219, [A.] a bill concerning public shows and exhibitions,

Were considered and non concurred in.

And said bill was ordered to be read a third time.

On motion of Mr. Cothren,

All rules were suspended in relation to the following bills:

No. 117, A., No. 219, A., No. 155, S., No. 156, S., and No. 157, S.,

And they were severally ordered to be read a third time now;

And said bills were severally read a third time, passed, and their titles severally agreed to.

On motion of Mr. Smith, bill

No. 147, [A.] a bill providing for the sale of the school section in the city of Racine,

Was taken from the table;

And said bill No. 147, [A.]

Was read a third time and passed.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Boyd, Chase, Cothren, Fisher, Goodell, Kinney, Murphy, Norton, Sholes, Smith and Williams—11.

Those who voted in the negative, were

Messrs. Botkin, Gardner, Horn, Merrell and Sprague—5.

The title of the bill was agreed to.

A message from the Assembly, by their chief clerk:

Mr. President:—

I am directed to inform you that the Assembly have non-curred in the amendments of the Senate, to

No. 93, [A.] a bill to authorize the electors of Lafayette county to vote on the removal of the county seat;

And have indefinitely postponed the consideration of the message of the Senate in relation to

No. 150, (S.) of dogs.

The Assembly have concurred in the passage of

No. 145, [S.] of guardians and wards,

Without amendment;

And has passed

No. 182, [A.] a bill relating to courts held by justices of the peace;

No. 101, [A.] a bill in relation to school and university lands, the sale thereof, and the powers and duties of the commissioners of said lands;

No. 233, [A.] a bill to incorporate the Jefferson County Normal School;

And,

No. 234, [A.] a bill to authorize James Weaver to build a dam;

In which the concurrence of the Senate is requested.

And have concurred in the passage of

No. 88, [S.] a bill to legalize organization of school district number one, in town of Summit;

Without amendment.

The Assembly have concurred in the first amendment of the Senate, to

No. 226, [A.] a bill concerning costs and fees;

And have non-concurred in the second amendment of Senate to said bill;

And have concurred in the adoption of the resolution relative to appointing a committee to settle with the State Treasurer,

And appointed Mr. Strong as the committee on the part of the Assembly under said resolution.

The Governor has informed the Assembly that he has on this day approved, signed and deposited in the office of the Secretary of State,

"An act relating to the admission of attorneys at law;"

"An act to authorize the aldermen of the first ward of the city of Milwaukee to levy a special tax, to raise money for the purpose of erecting a market-house in said ward;"

"An act to provide for laying out a State road;"

"An act to vacate part of the plat of the city of Superior, in Dane county;"

And,

"An act to authorize the issuing of patents for canal lands sold and not patented, and to provide for the payment and discharge of the mortgages thereon."

The Assembly have concurred in the passage of

No. 98, [S.] a bill to provide for the publication of certain laws therein mentioned, in the German, Norwegian languages;

Without amendments.

Mr. Horn moved to adjourn;

Which was not agreed to.

On motion of Mr. Norton,

Senate adjourned until half-past seven o'clock this evening.

SAME DAY, HALF-PAST 7 O'CLOCK P. M.

The following resolution, being taken up, and under consideration, to wit,

Resolved, by the Senate and Assembly of the State of Wisconsin, That the course of Hon. I. P. Walker, one of the Senators of this State in the Congress of the United States, in presenting and voting for an amendment to the general appropriation bill providing for a government in California and New Mexico, west of the Rio Grande, which did not contain a provision forever prohibiting the introduction of slavery or involuntary servitude in said Territories, has violated his oft-repeated, as well as his solemn written pledge given before his election, on that subject, and outraged the feelings and misrepresented those who elected him to that station, and has openly violated the instructions contained in the resolutions passed by this body on the subject of slavery at its present session;

Therefore,

Resolved, that Mr. Walker is hereby instructed immediately to resign his seat in the United States Senate.

Resolved, that the Hon. Henry Dodge, our other Senator, in voting against the proposition of Mr. Walker, as he did on the 20th of February last, has represented the views and wishes of his constituents on that subject, for which we express to him our most cordial approval of his course.

Resolved, that the Governor is requested to forward a copy of of the foregoing resolutions to the President of the Senate, and and each of our Senators and Representatives in Congress.

Mr. Horn moved that the said resolutions be indefinitely postponed;

Which was not agreed to;

And the ayes and noes having been called,

Those who voted in the affirmative, were

Messrs. Cothren, Fisher, Horn, Kinney, Murphy, Smith and Sprague—7.

Those who voted in the negative, were

Messrs. Botkin, Boyd, Chase, Gardner, Goodell, Merrell, Norton, Sholes and Williams—9.

Mr. Horn moved to amend the same as follows:

Resolved, that if the newspaper reports in this matter should not be true, then the foregoing resolutions are to be considered as rescinded;

Which was not agreed to;

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Botkin, Cothren, Fisher, Horn, Murphy and Smith —5.

Those who voted in the negative, were

Messrs. Boyd, Chase, Gardner, Goodell, Kinney, Merrell Norton, Sholes, Smith, Sprague and Williams—11.

Mr. Chase asked for a division of the question on the resolutions;

Which was agreed to;

And the question being on the first resolution,

Mr. Horn moved to amend the same as follows:

Whereeas, the Hon. I. P. Walker, one of our Senators in Congress, has been reported of having introduced a certain amendment to the appropriation bill, which in substance left the question of Slavery in the newly acquired Territories to the inhabitants of the same, and in so doing has not followed out certain instructions given to him by this Legislature;

Therefore,

Resolved, that the Hon. I. P. Walker is hereby requested to justify himself from the charges laid against him in disobeying said instructions, in such manner as he may think proper;

Which was not agreed to;

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Botkin, Cothren, Fisher, Horn, Kinney, Murphy, Smith and Sprague—7.

Those who voted in the negative, were

Messrs. Boyd, Chase, Gardner, Goodell, Merrell, Norton, Sholes, Sprague and Williams—9.

Mr. Smith offered the following amendment:

Strike out all after the word "Territories," and insert the following: "is contrary to our instructions, and meets with our decided disapprobation;"

Which was agreed to;

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Botkin, Cothren, Fisher, Horn, Kinney, Murphy, Smith, Sprague and Williams—9.

Those who voted in the negative, were

Messrs. Boyd, Chase, Gardner, Goodell, Merrell, Norton and Sholes—7.

Mr. Smith moved further to amend the first resolution as follows:

Strike out the words, "a government in," and insert, "the extension of the constitution and laws of the United States over;"

Which was agreed to;

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. *Cothren, Fisher, Horn*, Kinney, Murphy, Smith, Sprague and Williams—8.

Those who voted in the negative, were

Messrs. Botkin, Boyd, Chase, Gardner, Goodell, Merrell, Norton and Sholes—8.

The President voted in the affirmative.

And the first resolution, as amended, was adopted;

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Botkin, Boyd, Chase, Gardner, Goodell, Kinney, Merrell, Norton, Sholes, Smith and Williams—11.

Those who voted in the negative, were

Messrs. Cothren, Fisher, Horn, Murphy and Sprague—5.

Mr. Smith moved that the remaining resolutions be indefi- postponed;

Which was not agreed to;

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Cothren, Fisher, Horn, Kinney, Murphy, Smith and Sprague—7.

Those who voted in the negative, were

Messrs. Botkin, Boyd, Chase, Gardner, Goodell, Merrell, Norton, Sholes and Williams—9.

And the question being on the adoption of the second resolution,

Mr. Boyd moved to amend the same, by striking out "instructed," and inserting "requested;"

Which was not agreed to.

And the question being on the adoption of the second resolution,

It was not agreed to:

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Boyd, Chase, Goodell, Merrell, Norton and Sholes—6;

Those who voted in the negative, were

Messrs. Botkin, Cothren, Fisher, Gardner, Horn, Kinney, Murphy, Smith, Sprague and Williams—10.

And the question being on the third resolution,

Mr. Kinney moved to lay the resolution on the table until the fifth day of July next;

Which was not agreed to;

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Botkin, Cothren, Fisher, Horn, Kinney, Murphy, Smith and Sprague—8.

Those who voted in the negative, were

Messrs. Boyd, Chase, Gardner, Goodell, Merrell, Norton, Sholes and Williams—8.

The President voted in the negative.

Mr. Gardner offered the following amendment:

Strike out "for which we express to him our most cordial approval of his course;"

Which was not agreed to.

Mr. Norton moved to reconsider the vote by which Senate refused to postpone the third resolution until the fifth day of July next;

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Botkin, Cothren, Fisher, Horn, Kinney, Murphy, Norton, Smith and Sprague—9.

Those who voted in the negative, were

Messrs. Boyd, Chase, Gardner, Goodell, Merrell, Sholes and Williams—7.

And the question recurring on postponing said resolution until the fifth day of July next,

It was decided in the affirmative;

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Botkin, Cothren, Fisher, Horn, Kinney, Murphy Norton, Smith and Sprague—9.

Those who voted in the negative, were

Messrs. Boyd, Chase, Gardner, Goodell, Merrell, Sholes and Williams—7.

And the fourth resolution being under consideration,

Mr. Kinney moved to amend the same, by striking out all after the word "Resolved," and insert, "That the Governor be directed to send a copy thereof to Isaac P. Walker."

Mr. Smith moved that said resolution and amendment be indefinitely postponed;

Which was not agreed to.

And the question being on the resolution, as amended,

Mr. Kinney moved that the same be postponed until the fifth day of July next.

Mr. Norton moved to adjourn;

Which was not agreed to.

And the question recurring on postponing the resolutions and amendments until the fifth day of July next,

It was agreed to.

Mr. Chase moved "that the Senate journal of this evening be printed."

Mr. Horn moved to amend, by inserting "240 copies of;"

Which was not agreed to.

And the question recurring on ordering the journal to be printed,

It was not agreed to;

And the ayes and nays having been called for,

Those who voted in the affirmative, were

Messrs. Botkin, Boyd, Chase, Gardner, Goodell, Merrell and Sprague—7.

Those who voted in the negative, were

Messrs. Cothren, Fisher, Horn, Kinney, Murphy, Norton, Smith and Williams—8.

On motion of Mr. Cothren,

Senate adjourned until 9 o'clock to-morrow morning.

WEDNESDAY, March 28, 1849.

Prayer by the Rev. Mr. Lord.

The reading of the journal of yesterday was dispensed with.

Mr. Horn moved a re-consideration of the vote by which Senate refused to order the printing of the Journal of last evening.

Mr. Smith moved a call of the House.

And the roll having been called,

Messrs. Cothren and Fisher were reported absent.

The absentees having appeared in their seats,

On motion of Mr. Norton,

Further proceedings in the call were suspended.

And the question being on reconsidering said vote on printing the journal of last evening,

It was agreed to.

And the question recurring on ordering said journal to be printed,

Mr. Botkin moved that 250 copies be printed;

Which was not agreed to.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Botkin, Boyd, Chase, Goodell, Merrell and Sholes—6

Those who voted in the negative, were

Messrs. Cothren, Fisher, Gardner, Horn, Kinney, Murphy, Norton, Smith, Sprague and Williams—10.

Mr. Kinney moved that 120 copies be printed;

Which was agreed to.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Botkin, Boyd, Chase, Gardner, Goodell, Merrell, Norton and Sholes—8.

Those who voted in the negative, were

Messrs. Cothren, Fisher, Horn, Kinney, Murphy, Smith, Sprague and Williams—8.

The President voted in the affirmative.

Mr. Williams presented the account of Wm. T. Butler for newspapers;

Which was referred to the committee on legislative expenditures.

Mr. Botkin presented the petition of sundry citizens of Lafayette county on the subject of the right of Hon. Dennis Murphy to hold his seat in the Senate;

Which was referred to the committee on the judiciary.

Mr. Norton offered the following resolution:

Resolved, by the Senate and Assembly, That each member of the Legislature be requested to furnish to the chief clerks of their respective bodies the number and kind of newspapers taken by them respectively, at the expense of the State;

Which was adopted.

Mr. Kinney offered the following resolution:

Resolved, by the Senate and Assembly of the State of Wisconsin, That the eleventh joint rule of the Senate and Assembly be rescinded for the balance of this session;

Which was laid on the table.

Mr. Norton from the committee on legislative expenditures, reported

No. 159, (S.) a bill to appropriate the several sums therein named;

And,

No. 160, (S.) a bill to pay the several sums therein named;

Which were severally read a first and second times.

Mr. Williams from the committee to whom the bills had been referred, reported back without amendment,

No. 154, (S.) of proceedings as for contempts, to enforce civil remedies and to protect the rights of parties in civil actions;

And,

No. 123, (A.) a bill to provide for building a bridge across the Milwaukee river on the county line dividing the counties of Milwaukee and Washington;

And said bill No. 123, (A.) was,

On motion of Mr. Williams,

Laid on the table.

Mr. Kinney from the committee on claims, to whom the subject had been referred, reported bill

No. 161, (S.) a bill to pay William Doughty the interest on five bonds issued by the Territory of Wisconsin;

Which was read a first and second times.

Mr. Sprague from the joint committee on the library, reported as follows:

(See Appendix.)

And, on motion of Mr. Chase,

Said report was ordered to be printed.

Mr. Chase from the committee on expiration and re-enactment of laws, to whom said bill had been referred, reported back bill

No. 158, (S.) of the voluntary dissolution of corporations,

Without amendment.

The message of the Assembly was taken up;

And Mr. Kinney was appointed a committee on part of the

Senate to settle with the State Treasurer under the joint resolution of the two houses, and the non-concurring vote of the Assembly to the second amendment of Senate to bill

No. 226, (A.) a bill concerning costs and fees,

Being considered, and the question being on receding,

The Senate receded from its said second amendment to said bill.

The following bills,

No. 182, (A.) a bill relating to courts held by justices of the peace;

No. 234, (A.) a bill to authorize James Weaver to build a dam;

No. 233, (A.) a bill to incorporate the Jefferson county Normal school;

No. 232, (A.) a bill to authorize school district No. 7, in the town of Ottowa, Waukesha county, to levy a tax to build a school house;

And,

No. 101, (A.) a bill in relation to school and university lands the sale thereof, and the powers and duties of the commissioners of said lands;

Were severally read a first and second times.

And said bill No. 101, (A.)

Was referred to a select committee consisting of Messrs. Chase, Williams and Sprague.

No. 182, (A.)

Was referred to a select committee consisting of Messrs. Kinney, Botkin, Smith, Horn and Cothren.

The non-concurring vote of the Assembly to the amendments of Senate to bill

No. 93, (A.) a bill to authorize the electors of Lafayette county to vote on the removal of the county seat;

Being under consideration,

Mr. Murphy moved that Senate adhere;

Which was not agreed to.

And the question being "will Senate recede,"

The Senate receded.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Botkin, Boyd, Chase, Goodell, Horn, Kinney, Merrell, Norton, Sholes and Smith—10.

Those who voted in the negative, were

Messrs. Cothren, Fisher, Gardner, Murphy, Sprague and Williams—6.

No. 152, (S.) a bill to provide for levying a State tax;

Was read a third time and passed.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Botkin, Boyd, Fisher, Gardner, Goodell, Horn, Kinney, Merrell, Murphy, Norton, Sholes, Smith, Sprague, and Williams—14.

None in the negative.

No. 153, (S.) a bill to appropriate the several sums therein named,

Was read a third time.

And the question being on its passage,

Mr. Kinney moved to refer said bill, No. 153, (S.)

To the committee on Incorporations;

Which was agreed to.

The following bills;

No. 160, [A.] a bill to prevent forcible entries and unlawful detainers;

No. 175, [A.] an act for revising and consolidating the general Statutes of the State of Wisconsin;

No. 180, [A.] bill to provide for tribunals of conciliation in and for the several townships in this State and the regulation thereof;

No. 188, [A.] a bill in relation to printing;

No. 208, [A.] a bill to restrain unauthorized banking;

No. 213, [A.] a bill to provide for the annual meeting of the legislature;

No. 214, [A.] a bill concerning the weighing of lead ore, copper ore, and other mineral substance;

No. 215, [A.] a bill to establish the university of Wisconsin;

No. 218, [A.] a bill concerning timber and lumber floating upon adjoining waters and carried upon adjoining lands;

No. 231, [A.] a bill supplemental to an act to establish the University of Wisconsin;

No. 223, [A.] a bill concerning the money of account;

No. 225, [A.] a bill to authorize the construction of a dam across the Pickatonica river in Lafayette county;

Were severally read a third time, passed,

And their titles severally agreed to.

No. 106, [A.] a bill for laying out certain roads therein described,

Was read a third time and passed.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Botkin, Boyd, Fisher, Gardner, Goodell, Kinney, Merrell, Murphy, Norton, Smith and Sprague—11.

Messrs. Chase and Williams voted in the negative—2.

The title of the said bill was agreed to.

No. 162, [A.] a bill on mechanics and laborers lien,

Was read a third time and passed.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Botkin, Boyd, Fisher, Gardner, Kinney, Merrell, Murphy, Norton, Smith and Williams—10.

Those who voted in the negative, were

Messrs. Chase, Goodell, Sholes and Sprague—4.

The title of the bill was agreed to.

No. 216, [A.] a bill relative to seals,

Was read a third time and passed.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Botkin, Boyd, Cothren, Fisher, Gardner, Norton Smith, Sprague and Williams—9.

Those who voted in the negative, were

Messrs. Chase, Goodell, Kinney, Merrell and Sholes—5.

The title of the bill was agreed to.

No. 227, [A.] a bill for the distribution of the arms of the State,

Was read a third time and passed.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Botkin, Boyd, Cothren, Fisher, Gardner, Goodell, Kinney, Merrell, Murphy, Norton, Smith, Sprague and Williams—13.

Messrs. Chase and Sholes voted in the negative—2.

The title of the said bill was agreed to.

No. 228, [S.] a bill to defray the contingent expenses of the Executive office,

Was read a third time and passed.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Boyd, Cothren, Fisher, Gardner, Goodell, Kinney, Murphy, Sholes, Smith, Sprague and Williams—11.

Those who voted in the negative, were

Messrs. Botkin, Chase, Merrell and Norton—4.

The title of the bill was agreed to.

No. 229, [A.] a bill to authorize the trustees of Plum Grove School District in the town of Cassville, Grant Co. to levy a tax to build a school house,

Was read a third time and passed.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Botkin, Boyd, Chase, Cothren, Fisher, Gardner, Goodell, Kinney, Merrell, Murphy, Norton, Sholes, Smith and Sprague—14.

None in the negative. The title of said bill was agreed to.

No. 209, [A.] a bill to declare the county jail of Waukesha county the State Prison until otherwise provided by law,

Being on its third reading,

Mr. Williams asked the unanimous consent of Senate to offer the following amendment to said bill, by adding to 1st section as follows:

"Provided that the Sheriff of said county shall not receive more than two dollars and fifty cents per week for keeping and maintaining each of said prisoners;"

Which was agreed to;

And the amendment was agreed to.

And said bill No. 209, [A.]

Was read a third time, passed,

And the title agreed to.

On motion of Mr. Kinney,

Senate resolved itself into a committee of the whole on the general file of bills;

Mr. Merrell in the chair.

After some time spent therein the committee rose and by their chairman reported the following bills:

No. 154, (S.) of proceedings as for contempts, to enforce civil remedies and to protect the rights of parties in civil actions;

No. 158, (S.) of proceedings against corporations in chancery;

No. 159, (S.) a bill to appropriate the several sums therein named;

No. 161, (S.) a bill to pay William Doughty the interest on five bonds issued by the Territory of Wisconsin;

Without amendment;

And reported progress on the general file,

And ask leave to sit again;

Which was granted.

And said bills No. 154, [S.] No. 158, [S.] No. 159, [S.] and No. 161, [S.]

Were severally ordered to be engrossed and read a third time.

On motion of Mr. Kinney,

All rules were suspended in relation to said bills,

And they were severally ordered to be read a third time now;

And said bills No. 154, (S.) and No. 158, (S.)

Were severally read a third time, passed,

And their titles severally agreed to.

No. 161, (S.) a bill to pay William Doughty the interest on five bonds issued by the Territory of Wisconsin,

Was read a third time and passed.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Botkin, Boyd, Chase, Cothren, Gardner, Horn, Kinney, Merrell, Murphy, Sholes, Smith, Sprague and Williams —13.

Mr. Fisher voted in the negative.

The title of said bill was agreed to.

No. 159, (S.) was,

On motion of Mr. Botkin,

Laid on the table.

Mr. Norton moved to take up said bill No. 159, (S.)

Which was not agreed to.

Mr. Kinney moved to adjourn until half past 2 o'clock;

Which was not agreed to.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Boyd, Chase, Goodell, Horn, Kinney, Sholes and Sprague—7.

Those who voted in the negative, were

Messrs. Botkin, Cothren, Fisher, Gardner, Merrell, Murphy, Norton, Smith and Williams—9.

On motion of Mr. Cothren,

Senate resolved itself into a committee of the whole on bill

No. 160, (S.) a bill to pay the several sums therein mentioned;

Mr. Norton in the chair.

After some time spent therein the committee rose and by their chairman reported said bill

No. 160, (S.)

With amendments.

And the question being on concurring in the amendments of the committee of the whole to said bill

No. 160, (S.)

Mr. Botkin moved to adjourn until 3 o'clock, P. M.;

Which was not agreed to.

Mr. Botkin moved to adjourn until half past 2 o'clock, P. M.;

Which was not agreed to.

And the question recurring on concurring in the amendments of the committee of the whole to said bill

No. 160, (S.)

They were concurred in.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Boyd, Cothren, Gardner, Horn, Merrell, Murphy, Smith and Williams—8.

Those who voted in the negative, were

Messrs. Botkin, Chase, Fisher, Goodell, Kinney, Norton and Williams—7.

On motion of Mr. Williams,

All rules were suspended in relation to said bill

No. 160, (S.)

And it was ordered to be read a third time now;

And said bill,

No. 160, (S.)

Was read a third time and passed.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Boyd, Cothren, Gardner, Kinney, Merrell, Murphy, Norton, Smith, Sprague and Williams—10.

Those who voted in the negative, were

Messrs. Botkin, Chase, Fisher, Goodell and Horn—5.

The title of said bill was agreed to.

On motion of Mr. Kinney, bill

No. 159, (S.) a bill to appropriate the several sums therein named,

Was taken up,

Read a third time and passed.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Boyd, Chase, Cothren, Gardner, Goodell, Kinney, Merrell, Murphy, Norton, Smith, Sprague and Williams—12.

Those who voted in the negative, were

Messrs. Botkin, Fisher and Horn—3.

The title of the bill was agreed to.

A message from the Assembly, by their chief clerk:

Mr. President:—

The Assembly have adopted the following resolution, in which the concurrence of the Senate is requested, to wit:

Resolved, (the Senate concurring,) That the joint committee on enrolled bills reported by the revisers and the committee on compilation, be authorized to call to their assistance such aid as will enable them to have the enrolled bills all examined by Saturday evening next.

The Assembly have passed,

No. 115, (A.) a bill to incorporate the Free Congregational Church of the city of Milwaukee;

No. 185, (A.) a bill in relation to mills and mill dams;

No. 235, (A.) a bill providing for the superintending the publication of the Revised Statutes;

No. 236, (A.) a bill to authorize James B. Miller to keep and maintain a Ferry across the Wisconsin river;

And,

No. 237, (A.) a bill to authorize the Board of Supervisors of Sheboygan county to erect county buildings;

In all of which the concurrence of the Senate is requested.

The assembly have indefinitely postponed the consideration of

No. 6, (S.) a bill to repeal an act in relation to mills and mill dams.

On motion of Mr. Kinney,

Senate adjourned until 3 o'clock this afternoon.

SAME DAY, 3 O'CLOCK P. M.

Mr. Boyd from the committee on enrolled bills, reported as follows:

The committee on enrolled bills would report,

No. 98, (S.) a bill to provide for the publication of certain laws therein mentioned in the German and Norwegian language;

No. 205, (A.) a bill authorizing the maintainance of actions by persons holding claims on U. S. lands;

No. 206, (A.) a bill concerning electric telegraph lines;

No. 134, (A.) a bill to legalize the acts of certain town officers of the town of Spring Prairie, and to declare a road therein described a lawful highway;

No. 186, (A.) a bill to prevent the sale of intoxicating liquors to Indians;

As correctly enrolled.

The message of the Assembly was taken up,

And the following resolution,

Resolved, (the Senate concurring,) That the joint committee on enrolled bills reported by the Revisers and the committee on Compilation be authorized to call to their assistance such aid as will enable them to have the enrolled bills all examined by Saturday evening next;

Was considered and adopted.

The following bills,

No. 115, [A.] a bill to incorporate the Free Congregational Church of the city of Milwaukee;

No. 185, [A.] a bill in relation to mills and mill dams;

No. 235, [A.] a bill providing for the superintending the publication of the Revised Statutes;

No. 236, [A.] a bill to authorize James B. Miller to keep and maintain a ferry across the Wisconsin river;

And,

No. 237, [A.] a bill to authorize the board of Supervisors of Sheboygan county to erect county buildings;

Were severally read a first and second times; and,

On motion of Mr. Horn,

Said bill No. 185, [A.]

Was referred to a select committee consisting of Messrs. Horn, Botkin and Gardner.

On motion of Mr. Horn,

Said bill No. 235, [A.]

Was referred to the committee on Public Printing.

Mr. Kinney from the select committee to whom had been referred

No. 182, (A.) a bill relating to courts held by justices of the peace,

Reported back said bill without amendment, and recommend its passage.

On motion of Mr. Kinney,

All rules were suspended in relation to said bill No. 182, [A.]

And it was ordered to be read a third time now;

And said bill No. 182, [A.]

Being put on its third reading, Mr. Botkin offered the following amendment to section 1st:

"The jurisdiction of all justices of the peace shall be co-extensive with the town in which they are elected, and no other or greater.;

Which was not agreed to;

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Botkin, Chase, Fisher, Gardner, Goodell, Kinney and Sprague—7.

Those who voted in the negative, were

Messrs. Boyd, Cothren, Horn, Merrell, Norton, Smith and Williams—8.

And said bill No. 182, (A.) was read a third time, passed, and the title agreed to.

On motion of Mr. Gardner,

Senate resolved itself into a committee of the whole on the general file of bills;

Mr. Botkin in the chair.

After some time spent therein, the committee rose, and by their chairman reported the following bills:

No. 232, (A.) a bill to authorize school district number seven, in the town of Ottawa, Waukesha county, to levy a tax to build a school house;

No. 233, (A.) a bill to incorporate the Jefferson County Normal School:

No. 234, (A.) a bill to authorize James Weaver and others to build a dam;

And,

No. 237, (A.) a bill to authorize the Board of Supervisors of Sheboygan county to erect county buildings;

Without amendment.

And the following bills,

No. 115, (A.) a bill to incorporate the Free Congregational Church of the city of Milwaukee;

And,

No. 236, (A.) a bill to authorize James B. Miller to keep and maintain a ferry across Wisconsin river;

With amendments to each;

And reported progress on the general file, and ask leave to sit again;

Which was granted.

The amendments of the committee of the whole to bills No. 115, (A.) and No. 236, (A.),

Were severally concurred in;

And said bills No. 115, (A.) and No. 236, (A.),

Were severally ordered to be read a third time.

Mr. Sprague moved to lay bill No. 234, (A.) on the table;

Which was not agreed to.

And,

On motion of Mr. Botkin,

Rules were suspended in relation t[illegible]id bill No. 234, (A.),

And it was ordered to a third reading now;

And said bill No. 234, (A.) was read a third time, passed, and the title agreed to.

The following bills,

No. 233 A., No. 232 A., and No. 237 A.,

Were severally ordered to a third reading.

On motion of Mr. Fisher,

Rules were suspended in relation to said bill No. 237, (A.),

And it was ordered to a third reading now.

On motion of Mr. Goodell,

Said bill No. 237, (A.) was laid on the table.

On motion of Mr. Kinney,

Rules were suspended in relation to bills No. 232, (A.) and No. 233, (A.),

And said bills were severally ordered to be read a third time now;

And said bill No. 232, (A.) was read a third time and passed;

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Botkin, Fisher, Gardner, Goodell, Kinney, Merrell, Murphy, Norton, Smith, Sprague and Williams—11.

Mr. Chase voted in the negative.

No. 233, (A.) being put on its third reading,

Mr. Williams asked the unanimous consent of Senate to offer the following amendment:

"Strike out the third section of the bill;"

Which was agreed to;

And the amendment was agreed to;

And said bill No. 233, (A.) was read a third time, passed, and the title agreed to.

No. 236, (A.) was read a third time, passed, and the title agreed to.

Mr. Boyd, from the committee on enrolled bills, reported as follows:

The committee on enrolled bills would report,

No. 62, (A.) a bill to lay out and establish certain roads therein named;

No. 197, (A.) a bill concerning the crime of seduction;

No. 200, (A.) a bill to authorize the construction of a bridge across Nepasink lake;

No. 203, (A.) a bill to amend an act entitled an act to organize the county of Manitowoc for judicial purposes;

As correctly enrolled.

A message from the Assembly, by their chief clerk:

Mr. President:—

I am directed to present for your signature,

"Chapter concerning electric telegraphic lines;"

"Chapter authorizing the maintenance of actions by persons holding claims on United States lands;"

"An act to prevent the sale of intoxicating liquors to Indians;"

"An act to legalize the acts of certain town officers of the town of Spring Prairie, Walworth county, and to declare a road therein described a lawful highway;"

"An act to provide for the publication of certain laws therein mentioned, in the German and Norwegian languages;"

"Chapter of the assessment and collection of taxes;"

"An act to punish seduction as a crime;"

"An act to provide for laying out and establishing certain roads therein named;"

"An act to authorize the construction of a bridge across Nepasink lake;"

And,

"An act to amend an act entitled 'an act to organize the county of Manitowoc for judicial purposes, approved March 2, 1848;'"

Which have been signed by the Speaker of the Assembly.

Mr. Boyd, from the committee on enrolled bills, reported as follows:

The committee on enrolled bills would report, that they have this day presented to the Governor for his approval,

"An act to provide for the publication of certain laws therein mentioned, in the German and Norwegian languages;"

"An act to legalize the acts of certain officers of the town of Spring Prairie, Walworth county, and to declare a certain road therein described a lawful highway;"

"An act to prevent the sale of intoxicating liquors to Indians;"

"An act for the assessment and collection of taxes."

The President laid the following letter before the Senate:

Madison, March 28, 1849.

Hon. JOHN E. HOLMES,
President of the Senate:

Sir: I was elected by the majority of the voters of Lafayette county to represent the Senatorial District composed of that county, in the body over which you preside.

In the action of the Legislature with regard to a bill in which the interests of Lafayette county were largely involved, I consider that the legally expressed wishes of a majority of the people of that county have been disregarded, and believing that under such a state of circumstances, my presencein the Senate, as representing the majority of the people of that county is no longer of any avail, I hereby tender to you my resignation of my seat as Senator from Lafayette county.

DENNIS MURPHY.

Which letter of resignation was read and ordered to be entered on the journal.

On motion of Mr. Kinney,

Senate adjourned until 9 o'clock to-morrow morning.

Thursday, March 29, 1849.

Prayer by the Rev. T. H. Dudley.

The reading of the journal of yesterday was dispensed with.

On motion of Mr. Kinney, bill

No. 237, (A.) a bill to authorize the Board of Supervisors of Sheboygan county to erect county buildings,

Was taken from the table and returned to the general file;

And said bill No. 237, (A.) was read a third time, passed, and the title agreed to.

Mr. Chase, from the select committee, to whom said bill had been referred, reported back, bill

No. 101, (A.) a bill in relation to school and university lands, the sale thereof, and the powers and duties of the commissioners of said lands,

With sundry amendments;

And said bill No. 101, (A.) was read a second time.

Mr. Smith offered the following resolution:

Resolved, that the committee on state affairs be, and are hereby required to inquire into and report what action is necessary to provide for the repairs of the capitol and fitting up the same;

Which was adopted.

On motion of Mr. Goodell,

Senate resolved itself into a committee of the whole on bill No. 101, [A.] a bill in relation to school and university lands, the sale thereof, and the powers and duties of the commissioners of said lands;

Mr. Norton in the chair.

After some time spent therein, the committee rose, and by their chairman reported said bill No. 101, [A.] back to the Senate, with amendments;

And the amendments of the committee of the whole to said bill No. 101, [A.] were concurred in.

Mr. Botkin offered the following amendment:

Amend section 60, by striking out all after the word "Provided," and insert as follows:

"That in order to prevent money borrowers and brokers from borrowing said money at seven per cent., and loaning the same to the inhabitants of the counties who paid in the same at twenty-five per cent., or more; that said moneys so paid into the State Treasury shall be loaned to the State of Wisconsin at an annual interest of seven per cent. per annum, and the faith of the State is hereby pledged for the payment of said interest as herein provided; and the State of Wisconsin may invest the same in stocks in the construction of a railroad from Milwaukee to the Mississippi river, or in any other safe stocks that may be deemed best for the interest of the State under the direction of the Legislature."

Mr. Smith moved to amend the amendment as follows:

Strike out "State of Wisconsin," and insert "city of Milwaukee;"

Which was agreed to;

And the amendment to the amendment was not agreed to;

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Mr. Botkin—1.

Those who voted in the negative, were

Messrs. Boyd, Chase, Fisher, Goodell, Kinney, Norton, Sholes, Smith, Sprague and Williams—10.

On motion of Mr. Williams,

Rules were suspended in relation to said bill No. 101, [A.],

And it was ordered to a third reading now;

And said bill No. 101, [A.] was read a third time and passed;

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Boyd, Chase, Goodell, Kinney, Norton, Sholes, Smith, Sprague and Williams—9.

Those who voted in the negative, were

Messrs. Botkin and Fisher—2.

A message from the Assembly by their chief clerk;

Mr. President—

I am directed to inform you that the Assembly have nonconcurred in the amendments of the Senate, to

Resolution instructing I. P. Walker to resign his seat as United States Senator in Congress;

And have concurred in the passage of

No. 159, [S.] a bill to appropriate the several sums therein named;

With amendments;

In which the concurrence of the Senate is requested.

And also passed

No. 238, [A.] a bill authorizing the Governor to draw the five per centum of the nett proceeds of the public lands;

No. 243, [A.] an act to appropriate certain sums therein named;

In which the concurrence of the Senate is requested.

The Assembly have concurred in the passage of

No. 160, [S.] a bill to pay the several persons the several sums therein mentioned;

With amendments;

In which the concurrence of the Senate is requested.

The Assembly have concurred in the amendments of the Senate, to

No. 209, [A.] a bill to declare the county jail of Waukesha county, the State prison, until otherwise provided by law;

Also to

No. 147, [A.] a bill providing for the sale of the school section in the city of Racine.

The Assembly have passed

No. 242, [A.] of the collection of penalties, forfeitures and fines;

No. 244, [A.] a bill to lay out and establish a certain road;

And,

No. 245, [A.] a bill to remit certain fines;

In which the concurrence of the Senate is requested.

And the said message having been taken up, and considered,

The question being on concurring in the amendments of Assembly to bill

No. 159, [S.] a bill to appropriate the several sums therein named,

Mr. Chase called for a division of the question, And the first amendment being under consideration,

Mr. Sprague moved a call of the house;

And the roll having been called,

Messrs. Cothren, Horn and Merrell were reported absent.

Further proceedings in the call were suspended.

And the question recurring on concurring in the first amendment of Assembly to said bill No. 159, [S.],

It was concurred in;

And the ayes and noes having been called,

Those who voted in the affirmative, were

Messrs. Botkin, Boyd, Chase, Fisher, Gardner, Goodell, Kinney, Norton, Sholes, Smith, Sprague and Williams—12.

Mr. Merrell voted in the negative.

And the question being on concurring in the second amendment of Assembly to said bill No. 159, [S.],

It was concurred in;

And the ayes and nays having been called for,

Those who voted in the negative, were

Messrs. Botkin, Boyd, Chase, Fisher, Gardner, Goodell, Kinney, Merrell, Norton, Sholes, Smith, Sprague and Williams—13.

None in the affirmative.

The amendments of the Assembly to bill

No. 160, [S.] a bill to pay the several persons the several sums therein named,

Being under consideration, and the question being on concurring in the same,

They were non-concurred in;

And the ayes and noes having been called for,

Those who voted in the negative, were

Messrs. Botkin, Boyd, Chase, Fisher, Goodell, Kinney, Merrell, Norton, Sholes, Smith, Sprague and Williams—12.

None in the affirmative.

The following bills,

No. 242, [A.] of the collection of penalties, forfeitures and fines;

No. 243, [A.] an act to appropriate certain sums therein named;

No. 244, [A.] a bill to lay out and establish a certain road;

No. 245, [A.] a bill to remit certain fines;

And,

No. 238, [A.] a bill to authorize the Governor to draw the five per centum of the nett proceeds of the public lands;

Were severally read a first and second times.

On motion of Mr. Norton,

Rules were suspended in relation to said bill No. 243, [A.],

And it was ordered to a third reading now;

And said bill No. 243, [A.] was read a third time and passed;

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Botkin, Boyd, Gardner, Goodell, Kinney, Merrell, Norton, Smith, Sprague and Williams—10.

Those who voted in the negative, were

Messrs. Chase, Fisher and Sholes—3.

The title of the bill was agreed to.

Messrs. Kinney, Botkin and Sprague were appointed a committee of conference on part of the Senate on the disagreeing vote of the two houses on bill

No. 160, [S.] a bill to pay the several persons the several sums therein named.

A message from the Assembly, by their chief clerk:

Mr. President: —

I am directed to inform you that the Assembly have concurred in the amendments of the Senate to the following bills, to wit:

No. 45, [A.] an act to appropriate to H. A. Tenney the sum therein named;

No. 115, [A.] a bill to incorporate the Free Congregational Church of the city of Milwaukee;

No. 209, [A.] a bill to declare the county jail of Waukesha county, the State prison, until otherwise provided by law;

No. 233, [A.] a bill to incorporate the Jefferson County Normal School;

And,

No. 236, [A.] a bill to authorize James B. Miller to keep and maintain a ferry across the Wisconsin river.

The Assembly have passed

No. 174, [A.] a bill to provide for laying out certain roads therein described;

No. 193, [A.] a bill to repeal all the acts which are consolidated in the revised statutes; and,

No. 222, [A.] a bill on general provisions concerning husband and wife;

In which the concurrence of the Senate is requested.

The Assembly have concurred in the adoption of the following resolution, to wit:

Resolved, by the Senate and Assembly, that each member of the Legislature be requested to furnish to the chief clerks, of their respective bodies, the number and kind of newspapers taken by them respectively at the expense of the State.

The Assembly have passed

No. 240, [A.] of marks and brands for horses, cattle, sheep and hogs, and filing chattel mortgages;

No. 241, [A.] of fence viewers, of pounds and the impounding of cattle;

No. 247, [A.] a bill relating to officers' bonds, and declaring the extent of liability on the same;

No. 246, [A.] a bill to vacate a certain piece of road therein named;

No. 248, [A.] a bill concerning the publication of the decisions of the Supreme Court of the late Territory of Wisconsin;

And,

No. 249, [A.] a bill to authorize the inhabitants of school district number one, in the town of Hazel Green, in the county of Grant, to raise a tax to build a school house in said district;

In which the concurrence of the Senate is requested.

The Governor has informed the Assembly that he has this day approved, signed and deposited in the office of the Secretary of State,

"An act to authorize the construction of a bridge across Fox river;"

"An act to legalize the acts of certain town officers in the town of Spring Prairie, Walworth county, and to declare a road therein described, a lawful highway;"

"An act for the assessment and collection of taxes.

I am directed to present for your signature,

"An act concerning religious societies;"

And,

"Chapter of marriages;"

Which have been signed by the Speaker of the Assembly.

The said message was taken up,

And the following bills,

No. 174 A., No. 193 A., No. 222 A., No. 240 A., No. 241 A., No. 246 A., No. 247 A., and No. 249 A.,

Were severally read a first and second times.

Mr. Boyd, from the committee on enrolled bills, reported as correctly enrolled,

No. 199, (A.) a bill concerning marriages;

No. 207, (A.) a bill concerning religious societies;

No. 176, (A.) a bill relating to the several counties of this State;

No. 147, (A.) a bill providing for the sale of the school section in the city of Racine.

Mr. Boyd, from the committhe on enrolled bills, reported as follows:

The committee on enrolled bills would report that they have this day presented to the Governor for his approval,

"An act providing for the sale of the school section in the city of Racine."

On motion of Mr. Botkin,

Senate adjourned until 3 o'clock this afternoon.

SAME DAY, 3 O'CLOCK P. M.

On motion of Mr. Smith, bills

No. 83 (S.) a bill in relation to the division of towns;

And,

No. 26, (S.) a bill relating to justices of the peace and their jurisdiction;

Were taken from the table and returned to the general file.

On motion of Mr. Chase, bill

No. 105, (S.) a bill to repeal the laws for the collection of debts,

Was taken from the table and returned to the general file.

On motion of Mr. Smith, bill

No. 138, (A.) an act to amend an act supplementary to an act to incorporate the Milwaukee & Waukesha Railroad Company, approved March 11, 1848; and an act to incorporate the Milwaukee & Waukesha Railroad Company, approved February 11, 1847,

Was taken from the table and returned to the general file.

Mr. Sholes, from the committee on public printing, to whom had been referred bill

No. 235, (A.) a bill providing for superintending the publication of the revised statutes,

Reported said bill back to the Senate, with amendments;

And said bill No. 235, (A.) was read a second time.

A message from the Assembly, by their chief clerk:

Mr. President—

The Assembly have adopted the following resolution, in which the concurrence of the Senate is requested, to wit:

Resolved, (*the Senate concurring*,) the Secretary of State is hereby directed to write on each claim against the State, on which an appropriation has been, or hereafter may be made, the amount of such appropriations and the date of the approval thereof by the Governor, and also enter in a book to be obtained by the Secretary of State for that purpose, the amount of such claim, the sum appropriated thereon, and the date of the approval by the Governor; which said claims and book, when so prepared by him, the said Secretary of State shall deposite in the office of the State Treasurer, who shall keep the said claims and book in his office for future reference.

The Assembly have passed

No. 171, [A.] a bill granting certain privileges to Robert Tofflemire and associates;

And,

No. 251, [A.] a bill to extend the time of collecting the taxes in certain towns in the county of Brown, for the year 1848;

In which the concurrence of the Senate is requested.

And have concurred in the passage of

No. 155, [S.] of proceedings against corporations in chancery;

No. 156, [S.] of proceedings by and against corporations in courts of law;

And,

No. 157, [S.] general provisions relating to incorporations;

No. 161, [S.] a bill to pay William Dougherty the interest on five bonds issued by the Territory of Wisconsin;

Without amendment;

And,

No. 154, [S.] of proceedings as for contempts, to enforce civil remedies, and to protect the rights of parties in civil actions;

With an amendment;

In which the concurrence of the Senate is requested.

I am directed to present for your signature

"An act providing for the sale of the school section in the city of Racine;"

Which has been signed by the Speaker of Assembly.

The Assembly adopted the following resolution, in which the concurrence of the Senate is requested, to wit:

Resolved, by the Assembly, (the Senate concurring,) that the committee on enrolled bills be allowed to present to the Governor for his approval, all bills in their hands from this time forward until the close of the session.

On motion of Mr. Smith,

Senate resolved itself into a committee of the whole on the general file of bills;

Mr. Merrell in the chair.

After some time spent therein, the committee rose, and reported the following bills, to wit:

No. 26, [S.] a bill relating to justices of the peace and their jurisdiction;

No. 120, [S.] a bill for an act to secure pre-emption rights on school and university lands, to certain persons;

No. 235, [A.] a bill providing for superintending the publication of the revised statutes;

And,

No. 138, [A.] an act to amend an act supplementary to an act to incorporate the Milwaukee & Waukesha Railroad Company, approved March 11, 1848, and an act to incorporate the Milwaukee & Waukesha Railroad Company, approved February 11, 1847;

With amendments to each.

Also the following bills,

No. 105, [S.] a bill to repeal all the laws for the collection of debts;

No. 174, [A.] a bill to provide for laying out certain roads therein described;

No. 193, [A.] a bill to repeal all the acts which are consolidated in the revised statutes;

No. 222, [A.] a bill on general provisions concerning husband and wife;

No. 238, [A.] a bill authorizing the Governor to draw the five per centum of the nett proceeds of the public lands;

No. 240, [A.] of marks and brands for horses, cattle, sheep and hogs, and filing chattel mortgages;

No. 241, [A.] of fence viewers, of pounds, and the impounding of cattle;

No. 242, [A.] of the collection of penalties, forfeitures and fines;

No. 244, [A.] a bill to lay out and establish a certain road;

No. 245, [A.] a bill to remit certain fines;

No. 246, [A.] a bill to vacate a certain piece of road therein named;

No. 247, [A.] a bill relating to officers' bonds, and allowing the extent of liability of the same;

No. 248, [A.] a bill concerning the publication of the decisions of the Supreme Court of the late Territory of Wisconsin;

And,

No. 249, [A.] a bill to authorize the inhabitants of school district number one, in the town of Hazel Green, in the county of Grant, to raise a tax to build a school house in said district;

Without amendment.

And the question being on concurring in the amendments of the committee of the whole to said bill No. 120, [S.], they were concurred in;

And said bill No. 120, [S.] was ordered to be engrossed and read a third time.

The amendments of the committee of the whole to bill No. 26, [S.], were concurred in;

And said bill No. 26, [S.] was ordered to be engrossed and read a third time.

The amendments of the committee of the whole to bill No. 235, [A.] were concurred in;

And said bill No. 235, [A.] was,

On motion of Mr. Botkin, laid on the table.

The amendments of the committee of the whole to bill No. 138, [A.] were non-concurred in;

And said bill No. 138, [A.] was,

On motion of Mr. Kinney,

Laid on the table.

The following bills,

No. 174 A., No. 238 A., No. 240 A., No. 241 A., No. 242 A., No. 245 A., No. 247 A., No. 248 A., and No. 249 A.,

Were severally ordered to be read a third time.

On motion of Mr. Smith,

Bill No. 193, [A.] was referred to a select committee consisting of Messrs. Smith. Chase and Williams.

No. 222, [A.] a bill on general provisions concerning husband and wife,

Being under consideration,

Mr. Chase moved to strike out the fifth section.

Mr. Botkin moved to amend the amendment as follows:

"And that all persons shall vote on the subject, male and female, who consider themselves old enough to marry, or who are already married;"

Which was not agreed to.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Botkin, Fisher and Merrell—3.

Those who voted in the negative, were

Messrs. Boyd, Chase, Cothren, Goodell, Horn, Kinney, Norton, Sholes, Smith, Sprague and Williams—11.

And the question recurring on striking out the fifth section,

It was was agreed to.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Boyd, Chase, Cothren, Gardner, Goodell, Horn, Kinney, Sholes, Smith and Sprague—10.

Those who voted in the negative, were

Messrs. Botkin, Fisher, Merrell, Norton and Williams—5.

And said bill No. 222, (A.)

Was ordered to a third reading.

On motion of Mr. Horn,

All rules were suspended in relation to said bill No. 222, (A) and it was ordered to a third reading now;

And said bill No. 222, (A.)

Was read a third time and passed.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Boyd, Chase, Cothren, Gardner, Goodell, Horn, Kinney, Sholes, Smith, and Sprague—10.

Those who voted in the negative, were

Messrs. Botkin, Fisher, Merrell, Norton and Williams—5.

No. 105, (S.) a bill to repeal the laws for the collection of debts,

Being under consideration,

And the question being on ordering said bill to be engrossed and read a third time,

It was not agreed to.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Chase, Fisher, Goodell, Kinney and Sholes—5.

Those who voted in the negative, were

Messrs. Botkin, Boyd, Cothren, Gardner, Horn, Merrell, Norton, Smith, Sprague and Williams—10.

On motion of Mr. Horn,

All rules were suspended, and the following bills were ordered to be put on their third reading now;

And said bills, to wit:

No. 174, A., No. 240, A., No. 241, A., No. 242, A., No. 238, A., and No. 248, A.,

Were severally read a third time, passed,

And their titles severally agreed to.

No. 243, [A.] a bill to remit certain fines,

Was read a third time;

And the question being, "shall this bill pass,"

It was not agreed to.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Horn and Sprague—2.

Those who voted in the negative, were

Messrs. Botkin, Boyd, Chase, Cothren, Fisher, Goodell, Kinney, Merrell, Norton, Sholes, Smith and Williams—12.

On motion of Mr. Williams,

Bill No. 246, [A.]

Was laid on the table.

On motion of Mr. Horn, bill

No. 244, [A.] a bill to lay out and establish a certain road,

Was indefinitely postponed.

On motion of Mr. Cothren, bill

No. 247, [A.] a bill relative to officer's bonds and declaring the extent of liability on the same,

Was indefinitely postponed.

On motion of Mr. Williams, bills

No. 118, [A.] bill to fix the times for holding the terms of circuit courts;

And.

No. 167 [A.] a bill to alter the boundaries of the town of Milford in Jefferson county;

Were taken up from the table;

And said bill No. 167, [A.]

Was read a third time, passed,

And the title agreed to.

No. 118, [A.] was read a third time.

Mr. Fisher asked the unanimous consent of Senate to offer the following amendment:

Insert after the word "August" in the last line of section 2, the words "and first Monday in February;"

Which was agreed to;

And the amendment was agreed to;

And said bill No. 118, [A.]

Was read a third time, passed,

And the title agreed to.

A message from the Assembly, by their chief clerk:

Mr. President: —

I am directed to inform you that the Assembly have receded from their second amendment to

No. 159, (S.) a bill to appropriate the several sums therein named;

And have insisted on their amendment to

No. 160, (S.) a bill to pay the several sums therein mentioned;

And have appointed Messrs. Clark, Daugherty and Thorp a committee of conference, to act in conjunction with a similar committee appointed on the part of the Senate, on the disagreeing vote of the Senate and Assembly on said bill.

The Assembly have concurred in the passage of

No. 109, (S.) a bill to pay Daniel Noble Johnson the sum therein named,

With an amendment;

In which the concurrence of the Senate is requested.

The Assembly have concurred in the 1st, 2nd, 3d, 4th, 5th, and 6th amendments to

No. 101, (A.) a bill in relation to school and university lands, the sale thereof, and the powers and duties of the commissioners of said lands;

And have non-concurred in the seventh amendment of the Senate to said bill.

I am directed to present for your signature,

"An act of the racing of animals;"

"An act to incorporate the Walworth Academy;"

"An act to punish trespass on university and school lands;"

"An act concerning navigable rivers;"

"Joint resolutions relative to the military reserve at Fort Winnebago;"

"An act to amend an act to incorporate the Southport and Beloit Road Company;"

"An act of libraries and lyceums;"

"An act to appropriate to the county of St. Croix the sum therein named;

"An act to provide for the payment of certain persons therein named;"

"An act concerning county surveyors;"

"An act of the preservation of the public health;

And,

"An act relating to private nuisances, and general provisions relating to actions concerning real estate;

Which have been signed by the Speaker of the Assembly.

Mr. Boyd, from the committee on enrolled bills, reported as follows:

The committee on enrolled bills would report,

No. 147, (S.) of the preservation of the public health;

No. 149, (S.) of libraries and lyceums;

No. 143, (S.) a bill to provide for the payment of certain persons therein named;

No. 117, (S.) a bill to amend an act entitled "an act to incorporate the Southport and Beloit Road Company;"

No. 189, (A.) a bill concerning county surveyors;

No. 124, (S.) a bill to incorporate the Watertown Academy;

No. 144, (S.) a bill to appropriate to the county of St. Croix the sum therein named;

No. 73, (S.) a bill to punish trespass on university and school lands;

No. 151, (S.) of the racing of animals;

No. 138, (S.) a bill concerning navigable rivers;

No. 14, (S.) resolution relative to the military reserve at Fort Winnebago;

No. 135, (S.) a bill relating to private nuisances and general provisions relating to actions concerning real estate;

As correctly enrolled.

On motion of Mr. Boyd,

Senate adjourned until nine o'clock to-morrow morning.

FRIDAY, March 30, 1849.

Prayer by the Rev. Mr. Lord.

On motion of Mr. Gardner,

The reading of the Journal of yesterday was dispensed with.

Mr. Smith from the select committee to whom had been referred bill No. 193, (A.) a bill to repeal all the acts which are consolidated in the Revised Statutes,

Reported the said bill back with amendments;

And said bill No. 193, (A.)

Was read a second time.

Mr. Gardner, on leave, introduced bill

No. 162, (S.) a bill to provide for recording contracts relating to land;

Which was read a first and second times.

On motion of Mr. Gardner,

All rules were suspended in relation to said bill, and it was ordered to a third reading now;

And bill No. 162, (S.)

Was read a third time, passed,

And the title agreed to.

Mr. Horn from the select committee, to whom had been referred bill

No. 185, (A.) a bill in relation to mills and mill dams,

Made the following

REPORT:

The select committee to whom was referred "No. 185, (A.) a bill in relation to mills and mill dams," have had the same under consideration, and recommend that the said bill be indefinitely postponed.

F. W. HORN, Ch'n.
A. BOTKIN.

The minority of the committee dissents from the above, and recommends the passage of said bill.

E. T. GARDNER.

Which report was received and the committee discharged from the further consideration of the subject.

And the said report being under consideration,

Mr. Chase moved that the recommendation of indefinitely postponing said bill No. 185, (A.) be adopted;

Which was not agreed to.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Botkin, Chase, Horn and Sholes—4.

Those who voted in the negative, were

Messrs. Boyd, Cothren, Fisher, Gardner, Goodell, Kinney, Merrell, Norton, Smith, Sprague and Williams—11.

Mr. Horn moved that said bill No. 185, (A.)

Be referred to the committee on the Judiciary, with instructions to bring in a bill to repeal the mill dam laws of 1840, with a proviso that such repeal shall not inviolate any rights which may have been acquired under the said law.

Which was not agreed to.

And the ayes and noes having been called for,

Those who voted in the affirmative, were,

Messrs. Fisher, Goodell, Horn, Sholes and Williams—5.

Those who voted in the negative, were,

Messrs. Botkin, Boyd, Chase, Cothren, Gardner, Kinney, Merrell, Norton, Smith and Sprague—10.

On motion of Mr. Gardner,

All rules were suspended in relation to said bill No. 185, (A.)

And it was ordered to be read a third time now;

And said bill No. 185, (A.)

Was read a third time and passed.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Botkin, Boyd, Cothren, Gardner, Kinney, Merrell, Norton, Sholes, Smith and Williams—10.

Those who voted in the negative, were

Messrs. Chase, Fisher, Goodell, Horn and Sprague—5.

The title of the bill was agreed to.

Mr. Chase from the committee on the judiciary to whom had been referred the petition of sundry citizens of Lafayette county on the subject of the seat of Hon. Dennis Murphy as Senator from said county;

Reported back said petition, and recommend that it be laid on the table;

Which report was received and the committee discharged from further consideration of the subject.

Mr. Smith presented a communication from the clerk of the Board of Supervisors of Milwaukee county, on the subject of the support of Lunatics;

Which was referred to the committee on State affairs.

Mr. Kinney from the committee on claims to whom had been referred the claim of Moses Meeker on certain legislative and conventional certificates,

Reported the same back without action, and ask to be discharged from further consideration of the subject;

Which was agreed to.

A message from the Assembly, by their chief clerk:

Mr. President:—

I am directed to inform you that the Assembly have negatived,

No. 158, (S.) of the voluntary discretion of corporations,

By striking out the enacting clause;

And have concurred in the passage of

No. 104, (S.) a bill to appropriate the several sums therein named;

And,

No. 152, (S.) a bill to provide for levying a State tax;

With amendments to each;

In which the concurrence of the Senate is requested.

The Assembly have passed

No. 253, (A.) a bill to appropriate the several sums therein named;

No. 254, (A.) an act for the payment of the mileage and per diem of the electors of President and Vice President of the United States for the State of Wisconsin;

No. 255, (A.) a bill authorizing certain suits in behalf of the State to be commenced in any county;

No. 256, (A.) a bill to appropriate to the several persons the several sums therein named;

And,

No. 257, (A.) a bill to appropriate to the several persons the several sums therein named;

In which the concurrence of the Senate is requested.

The Assembly have concurred in the amendment of the Senate to

No. 222, [A.] a bill on general provisions concerning husband and wife,

Mr. Cothren asked leave to withdraw the accounts of Moses Meeker, on legislative and convention certificates;

Which was granted.

And on motion of Mr. Kinney,

Leave was granted to withdraw all accounts of the several persons whose claims have not been acted on by the committee of accounts.

Mr. Horn offered the following resolution:

Resolved, by the Senate and Assembly, That the Postmaster of this place be requested to bring in his account of postage due him from the State and that the resolutions relative to Postage, be rescinded from and after to-morrow morning.

Which was adopted.

Mr. Cothren presented the petition of Beriah Brown in relation to the printing of the revised Statutes.

Mr. Kinney moved that the said petition be laid on the table;

Which was agreed to.

And the ayes and noes having been called for;

Those who voted in the affirmative, were

Messrs. Boyd, Chase, Fisher. Gardner, Goodell, Kinney, Sprague and Williams—8.

Those who voted in the negative, were

Messrs. Cothren, Horn, Merrell, Norton and Smith—6.

Mr. Horn moved that the said petition be taken up, and referred to the committee on roads and bridges;

Which was agreed to.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Botkin, Cothren, Fisher, Horn, Merrell, Norton, Smith and Sprague—8.

Those who voted in the negative, were

Messrs. Boyd, Chase, Gardner, Goodell, Kinney and Williams—6.

Mr. Williams from the committee on Incorporations to whom had been referred bill

No. 153, (S.) a bill to appropriate the several sums therein named,

Reported said bill back with amendments;

And said bill No. 153, (S.)

Was read a second time.

The message of the Assembly was taken up, and the following bills, to-wit;

No. 171, (A.) a bill granting certain privileges to Robert Tomlemire and his associates;

No. 251, (A.) a bill to extend the time for collecting the taxes in certain towns in the county of Brown, for the year 1848;

No. 253, (A.) a bill to appropriate the several sums therein named;

No. 254, (A.) an act for the payment of the mileage and per diem of the electors of President and Vice President of the United States for the State of Wisconsin;

No. 255, (A.) a bill authorizing certain suits in behalf of the State to be commenced in any court;

No. 256, (A.) a bill to appropriate to the several persons the sums therein named;

And,

No. 257, (A.) a bill to appropriate to the several persons the sums therein named;

Were severally read a first and second times.

The amendments of Assembly to bill

No. 154, (S.) of proceedings as for contempt, to enforce civil remedies and to protect the rights of parties in civil actions, were concurred in.

No. 101, (A.) a bill in relation to school and university lands, the sale thereof and the powers and duties of the commissioners of said lands, Being under consideration, and the question being on Senate receding from the 7th amendment of Senate to said bill No. 101, (A.)

The Senate refused to recede;

And Messrs. Horn, Williams and Smith were appointed a committee of conference on part of the Senate on the disagreeing vote of the two houses on said bill No. 101, (A.)

The amendments of Assembly to bill

No. 104, (S.) a bill to appropriate the several sums therein named,

Were considered.

Mr. Horn called for a division of the question;

And the first amendment was nonconcurred in.

And the ayes and noes having been called for,

Those who voted in the negative, were

Messrs. Botkin, Boyd, Chase, Fisher, Gardner, Goodell, Horn, Kinney, Merrell, Norton, Smith, Sprague and Williams—13.

None in the affirmative.

And the question being on concurring in the second amendment,

Mr. Williams moved to amend the amendment as follows:

Strike out "$207, 50" and insert "$100;"

Which was not agreed to.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Boyd, Chase, Cothren, Fisher, Gardner, Goodell, Horn, Kinney, Merrell, Smith and Sprague—12.

Mr. Williams voted in the negative—1.

The amendments of Assembly to bill

No. 152, (S.) a bill to provide for levying a State tax,

Were collectively concurred in.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Botkin, Boyd, Chase, Cothren, Gardner, Goodell, Kinney, Merrell, Norton, Sholes, Smith, Sprague and Williams—13.

None in the negative.

The amendment of Assembly to bill

No. 109, (S.) a bill to pay Daniel Noble Johnson the sum therein named,

Was considered and concurred in.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Botkin, Boyd, Chase, Cothren, Gardner, Goodell, Kinney, Norton, Smith and Sprague—10.

Messrs. Merrell and Williams voted in the negative—2.

The following resolution,

Resolved, (the Senate concurring,) the Secretary of State is hereby directed to write on each claim against the State, on which an appropriation has been, or hereafter may be made, the amount of such appropriations and the date of the approval thereof by the Governor, and also enter in a book to be obtained by the Secretary of State for that purpose, the amount of such claim, the sum appropriated thereon, and the date of the approval by the Governor; which said claims and book, when so prepared by him, the said Secretary of State shall deposite in the office of the State Treasurer, who shall keep the said claims and book in his office for future reference.

Was considered and adopted.

On motion of Mr. Boyd, bill

No. 235, (A.) a bill providing for superintending the publication of the Revised Statutes,

Was taken from the table and returned to the general file.

On motion of Mr. Gardner,

Senate resolved itself into a committee of the whole on the general file of bills;

Mr. Merrell in the chair.

After some time spent therein the committee rose and by their chairman reported the following bills:

No. 171, (A.) a bill granting certain privileges to Robert Tollemire and his associates;

No. 251, (A.) a bill to extend the time for collecting the taxes in certain towns in the county of Brown, for the year 1848;

No. 253, (A.) a bill to appropriate the several sums therein named;

No. 254, (A.) an act for the payment of the mileage and per diem of electors of President and Vice President of the United States for the State of Wisconsin; and,

No. 255, (A.) a bill authorizing certain suits in behalf of the State to be commenced in any Court;

Without amendment;

And the following bills,

No. 256, (A.) a bill to appropriate to the several persons the sums therein named;

No. 257, (A.) a bill to appropriate to the several persons the sums therein named;

No. 235, (A.) a bill providing for superintending the publication of the Revised Statutes;

No. 193, [A.] a bill to repeal all the acts which are consolidated in the Revised Statutes;

And,

No. 122, [S.] a bill for an act to prevent certain animals from running at large;

With amendments to each;

And reported progress on the general file of bills,

And ask leave to sit again;

Which was granted.

The amendments of the committee of the whole to bill No. 122, (S.) were concurred in;

And said bill was ordered to be engrossed and read a third time.

The amendments of the committee of the whole to bill No. 193, (A.) were concurred in;

And said bill was ordered to a third reading.

On motion of Mr. Cothren,

All rules were suspended in relation to said bill No. 193, (A.);

And it was ordered to a third reading now;

And No. 193, (A.) was read a third time, passed, and the title agreed to.

The amendments of the committee of the whole to bill

No. 235, (A.) a bill providing for superintending the publication of the revised statutes,

Were concurred in.

Mr. Cothren moved to refer said bill No. 235, (A.) to the committee on roads and bridges;

Which was not agreed to;

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Botkin, Cothren, Horn, Merrell, Norton and Smith—6.

Those who voted in the negative, were

Messrs. Boyd, Chase, Fisher, Gardner, Goodell, Kinney, Sholes, Sprague and Williams—9.

Mr. Horn moved to lay said bill No. 235, (A.) on the table;

Which was not agreed to;

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Botkin, Cothren, Horn, Merrell and Norton—5.

Those who voted in the negative, were

Messrs. Boyd, Chase, Fisher, Gardner, Goodell, Kinney, Sholes, Smith, Sprague and Williams—10.

On motion of Mr. Kinney,

Said bill No. 235, (A.) was referred to the committee on expiration and re-enactment of laws.

The amendments of the committee of the whole to bill

No. 257, (A.) a bill to appropriate to the several persons the several sums therein named,

Were considered and concurred in.

Mr. Boyd, from the committee on enrolled bills, reported as follows:

The committee on enrolled bills would report:

No. 93, (A.) a bill to authorize the electors of Lafayette county to vote on the removal of the county seat;

No. 225, (A.) a bill to authorize the construction of a dam across the Picatonica river, in Lafayette county;

No. 196, (A.) a bill to enable the town of Janesville, in the county of Rock, to apply the moneys raised from licenses granted for the sale of spirituous liquors in said town, to the support of the poor;

No. 191, (A.) a bill in relation to medical societies, and for the promotion of medical science;

No. 106, (A.) a bill for laying out certain roads therein described;

No. 223, (A.) a bill concerning the money of account;

No. 224, (A.) a bill to legalize certain roads in Winnebago county;

No. 216, (A.) a resolution relating to seals;

No. 229, (A.) a bill to authorize the trustees of Plum Grove school district, in the town of Cassville, Grant county, to levy a tax to build a school house;

As correctly enrolled.

On motion of Mr. Horn,

Senate adjourned until 3 o'clock this afternoon.

SAME DAY, 3 O'CLOCK P. M.

The pending question being on ordering said bill No. 257, to a third reading,

It was so ordered.

The amendments of the committee of the whole to bill

No. 256, (A.) a bill to appropriate to the several persons the sums therein named,

Were concurred in.

Mr. Sholes moved to amend the amendment, by adding thereto the amount of $5 to H. A. Wright;

Which was agreed to;

And said bill No. 256, (A.) was read a third time and passed;

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Botkin, Boyd, Chase, Fisher, Gardner, Kinney, Merrell, Norton, Sholes, Smith, Sprague and Williams—12.

Messrs. Goodell and Horn voted in the negative—2.

The title of the said bill was agreed to.

The following bills,

No. 171 A., No. 251 A., No. 253 A., No. 254 A., and No. 255 A.,

Were severally ordered to be read a third time.

A message from the Assembly, by their chief clerk:

Mr. President—

I am directed to inform you that the Assembly have concurred in the amendment of the Senate, to

No. 118, (S.) a bill to fix the times of holding the terms of circuit courts;

And have concurred in the adoption of the following resolution, to wit:

Resolved, by the Senate and Assembly, that the postmaster of this place be requested to bring in his account of postage due him to this date, and that the resolution relative to postage be rescinded, from and after to-morrow morning."

Messrs. Strong, Daugherty and Thorp have been appointed a committee of conference on the part of the Assembly, to act in conjunction with the committee appointed by the Senate, on the disagreeing vote of the Senate and Assembly on

No. 101, (A.) a bill in relation to the school and university lands, the sale thereof, and the powers and duties of the commissioners of said lands.

I am directed to present for your signature,

"An act relative to seals;"

"An act to legalize certain roads in Winnebago county;"

"An act to authorize the trustees of Plum Grove school district in the town of Cassville, Grant county, to levy a tax to build a school house;"

"An act in relation to medical societies, and for the promotion of medical science;"

"An act concerning the money of account;"

"An account for laying out certain roads therein described;"

"An act to authorize the construction of a dam across the Pickatonica river, in Lafayette county;"

"An act to authorize the electors of Lafayette to vote on the removal of the county seat;" and,

"An act to enable the town of Janesville, in the county Rock, to apply the moneys received for licenses granted for the sale of ardent spirits in said town, to the support of the poor;"

Which have been signed by the Speaker of the Assembly.

I am further directed to inform you, that on the journals of the Assembly of yesterday, being corrected,

The amendment of the Senate to

No. 222, (A.) a bill on general provisions concerning husband and wife,

Was non-concurred in;

And that the message from the Assembly this morning, informing the Senate that their amendment to said bill had been concurred in, was incorrect.

On motion of Mr. Gardner,

All rules were suspended in relation to said bills,

No. 171 A., No. 251 A., No. 253 A., No. 254 A., No. 255 A., No. 256 A., and No. 257 A.,

And they were severally ordered to a third reading now.

And,

No. 254, (A.) an act for the payment of the mileage and per diem of the electors of President and Vice President of the United States for the State of Wisconsin;

Was read a third time and passed;

And the ayes and noes having been called;

Those who voted in the affirmative, were

Messrs. Botkin, Boyd, Chase, Fisher, Gardner, Goodell, Kinney, Merrell, Norton, Sholes, Smith, Sprague and Williams—13.

None in the negative.

No. 253, (A.) a bill to appropriate the several sums therein named,

Was read a third time and passed;

And the ayes and nays having been called for,

Those who voted in the affirmative, were

Messrs. Botkin, Boyd, Chase, Fisher, Gardner, Goodell, Kinney, Merrell, Norton, Sholes, Smith, Sprague and Williams—13.

None in the negative.

The title of the said bill was agreed to.

The following bills,

No. 171, [A.] a bill granting certain privileges to Robert Tofflemire and his associates;

No. 251, [A.] a bill to extend the time for collecting the taxes in certain towns in the county of Brown, for the year 1848;

No. 255, [A.] a bill authorizing certain suits in behalf of the State to be commenced in any court;

Were severally read a third time, passed, and their titles severally agreed to.

No. 257, [A.] a bill to appropriate to the several persons the several sums therein named;

Was read a third time and passed.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Botkin, Boyd, Chase, Cothren, Fisher, Gardner, Merrell and Sprague—8.

Those who voted in the negative, were

Messrs. Goodell, Kinney, Sholes, Smith and Williams—5.

The title of the said bill was agreed to.

Mr. Botkin, from the committee on conference on the disagreeing vote of the two houses on bill

No. 160, [S.] a bill to pay the several persons therein mentioned,

Reported as follows:

The joint committee of conference, to whom was referred bill No. 160, (Senate file,) on the disagreeing vote of the two houses,

Report that they have had the same under consideration, and a majority of the committee agree as follows:

To amend section 2, by striking out "$207," and insert "$166."

Section 4, strike out "$157," and insert "$116."

Section 6, strike out "$72.50," and insert "$174."

Section 8, strike out "$157," and insert "$116."

Insert "to William R. Smith and William Hall, each one hundred dollars, for preparing the journals of the Senate and Assembly of the present session, and preparing an index to the same;

And recommend that Senate recede from the section appropriating $150 to chaplains.

A. BOTKIN,
F. A. SPRAGUE,
SAT. CLARK, Jr.,
J. DOUGHERTY,
W. S. THORP.

Mr. Kinney, from said committee, reported as follows:

The minority of the committee on conference on the disagreeing vote of the two houses on bill

No. 160, a bill to appropriate the several sums therein named, And the question being on adopting the report of the majority of the said committee of conference,

It was not agreed to;

And the ayes and noes having been called for,

Report that they have had the same under consideration, and recommend the Assembly recede from their amendment to the bill.

ASA KINNEY.

Those who voted in the affirmative, were

Messrs. Botkin, Boyd, Cothren, Smith and Sprague—5.

Those who voted in the negative, were

Messrs. Chase, Fisher, Gardner, Goodell, Horn, Kinney, Merrell, Norton, Sholes and Williams—10.

Mr. Botkin moved a reconsideration of the vote by which bill

No. 244, [A.] a bill to lay out and establish a certain road, was indefinitely postponed;

Which was agreed to.

And the question recurring on the passage of said bill No. 244, [A.] was read a third time, passed, and the title agreed to.

On motion of Mr. Norton,

Senate resolved itself into a committee of the whole on bill No. 153, [S.] a bill to appropriate the several sums therein named;

Mr. Horn in the chair.

After some time spent therein, the committee rose, and by their chairman reported said bill No. 153, [S.] with amendments.

And the question being on concurring in the amendments of the committee of the whole to said bill No. 153, [S.],

The first amendment was non-concurred in.

The second amendment was concurred in.

On motion of Mr. Chase,

Rules were suspended in relation to said bill No. 153, [S.],

And it was ordered to its third reading now;

And said bill No. 153, [S.] was read a third time and passed;

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Botkin, Boyd, Chase, Fisher, Gardner, Kinney, Merrell, Norton, Smith, Sprague and Williams—11.

Those who voted in the negative, were

Messrs. Goodell, Horn and Sholes—3.

The title of said bill was agreed to.

Mr. Norton, from the committee on that subject, reported as follows:

The joint special committee on enrolled bills, report as correctly enrolled, the following, to wit:

No. 136, [S.] of the incorporation of cemetery associations;

No. 146, [S.] of masters and apprentices;

No. 142, [S.] a bill concerning weights and measures;

No. 215, [A.] a bill to establish the University of Wisconsin;

No. 133, [S.] a bill of partition of lands owned by several persons, and on waste;

No. 126, [S.] a bill relating to proceedings against debtors by attachment;

No. 140, [S.] a bill concerning bills of exchange and promissory notes;

No. 211, [A.] a bill to authorize the appointment of commissioners to take acknowledgments of deeds, and other contracts and depositions in other States;

No. 141, [S.] a bill concerning grand and petit jurors;

No. 212, [A.] a bill to punish trespass on lands;

No. 190, [A.] a bill in relation to probate courts;

No. 45, [S.] a bill in relation to guardians and wards;

No. 177, [A.] a bill for the foreclosure of mortgages by advertisement;

No. 134, [S.] a bill relative to informations, writs of mandamus and prohibitions;

No. 208, [A.] a bill to restrain unauthorized banking;

No. 214, [A.] a bill concerning the weighing of lead ore, copper ore, and other mineral substances;

No. 168, [A.] a bill in relating to printing;

No. 139, [S.] of the incorporation of companies to construct plank and turnpike roads;

No. 156, [A.] of proceedings by and against corporations in courts of law;

No. 231, [A.] a bill supplemental to an act to establish the University of Wisconsin;

No. 228, [A.] a bill to defray the contingent expenses of the executive office;

No. 227, [A.] a bill for the distribution of the arms of the State;

No. 113, [A.] a bill to provide for the annual meeting of the legislature;

No. 157, [S.] general provisions relating to incorporations;

No. 160, [A.] a bill to prevent forcible entries and unlawful detainers;

No. 162, [A.] a bill on mechanics and laborers lien.

A message from the Assembly, by their chief clerk:

Mr. President—

I am directed to inform you that the Assembly have concurred in the passage of

No. 56, [S.] an act to prescribe the terms of the Supreme Court and to require the adoption of rules of practice,

Without amendment;

And have passed,

No. 239, [A.] of the rates of toll for grinding;

No. 258, [A.] a bill to appropriate to David Holt the sums therein named;

In which the concurrence of the Senate is requested.

The Assembly have adopted the report of the committee of conference on the disagreeing vote of the Senate and Assembly on

No. 101, [A.] a bill in relation to school and university lands, the sale thereof, and the powers and duties of the commissioners of said lands.

And have adopted the report of the committee of conference on the disagreeing vote of the Senate and Assembly on

No. 160, [S.] a bill to pay the several persons the several sums therein mentioned.

Mr. Kinney from the joint select committee appointed to examine the accounts of the Treasurer and settle his credit with the Secretary of State, reported as follows:

We, the undersigned, a joint committee of the Senate and Assembly of the legislature of the State of Wisconsin would submit the following

REPORT:

That we find in the Treasurer's hands vouchers to the amount of $50,431, 49-100, and that we have cancelled the said vouchers by cutting them through the middle with a cross, and that we have caused J. C. Fairchild, the said Treasurer, to be credited for the above amount on the book of the Secretary of State.

ASA KINNEY,
Senate.
M. S. NOBLE,
Assembly.

Madison, March 28, 1849.

Mr. Chase from the committee to whom said bill had been referred, reported back bill

No. 235, (A.) a bill providing for superintending the publication of the Revised Statutes;

Without amendment, and recommend its passage.

Mr. Chase moved that all rules be suspended in relation to said bill No. 235, (A.).

And that it be read a third time now;

Which was agreed to.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Boyd, Chase, Fisher, Gardner, Goodell, Kinney, Norton, Sholes, Smith, Sprague and Williams—11.

Those who voted in the negative, were

Messrs. Botkin, Horn and Merrell—3.

And said bill No. 235, [A.] was read a third time and passed.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Boyd, Chase, Fisher, Gardner, Goodell, Kinney, Sholes, Smith and Williams—9.

Those who voted in the negative, were

Messrs. Botkin, Horn, Merrell, Norton and Smith—5.

The title of said bill was agreed to.

On motion of Mr. Boyd, bill

No. 129, [S.] of normal schools,

Was taken from the table;

And on motion of Mr. Boyd,

All rules were suspended in relation to said bill, and No. 129, [S.] was read a third time and passed.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Boyd, Chase, Gardner, Goodell, Sholes, Smith, Sprague and Williams—8.

Those who voted in the negative, were

Messrs. Botkin, Fisher, Horn, Kinney and Merrell—5.

Mr. Gardner moved that a committee of conference be appointed on the disagreeing vote of the two houses on bill No. 160, [S.]

Which was agreed to;

And Messrs. Gardner, Merrell and Smith were appointed such committee.

Mr. Merrell from the committee on engrossed bills, reported as correctly engrossed, bills

No. 26, [S.] a bill relating to justices of the peace and their jurisdiction;

And,

No. 120, [S.] a bill for an act to secure pre-emption rights on school and university lands to certain persons.

The message of the Assembly was taken up,

And the following report of the joint committee of conference on bill

No. 101, [A.] a bill in relation to school and university lands, the sale thereof and the powers and duties of the commissioners of said lands:

The committee of conference on the disagreeing vote of the two houses upon bill No. 101, [A.] recommend the adoption of the substitute for Section No. 104 of the bill, and the amendment of the Senate thereto.

MYRON B. WILLIAMS,
Ch'n, Senate.
M. M. STRONG,
Ch'n House Committee.

Was considered and adopted.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Botkin, Boyd, Chase, Cothren, Gardner, Goodell, Horn, Merrell, Sholes, Smith, Sprague and Williams—12.

Messrs. Fisher and Kinney voted in the negative—2.

No. 222, [A.] a bill on general provisions concerning husband and wife,

Being again under consideration,

Mr. Norton moved that Senate insist on its amendment to said bill;

Which was agreed to;

And on motion of Mr. Chase,

A committee of conference, consisting of Messrs. Chase and Horn, was appinted on part of the Senate on the disagreeing vote o the two houses on said bill No. 101, [A.]

The following bills,

No. 239, [A.] of the rates of toll for grinding;

And,

No. 258, [A.] a bill to appropriate to David Holt, jr., the sum therein named;

Were severally read a first and second times.

No. 120, [A.] was read a third time and passed.

Mr. Botkin moved to amend the title as follows:

Strike out all after the word "bill" and insert

"To change the name of Catharine Framback to that of Catharine Kroeger, and to make her the heir at law of Henry Kroeger and Bernardina Kroeger;

Which was agreed to.

And the title as amended was agreed to.

No. 26, [S.] was read a third time and passed.

Mr. Botkin moved to amend the title as follows:

Strike out all after the word "bill" and insert,

"To change the name of John Framback to that of John Stoeveeker, and to make him the heir at law of Bernard Stoeveeker and Francisca his wife;"

Which was agreed to.

And the title as amended was agreed to.

On motion of Mr. Horn,

Senate adjourned until 9 o'clock to-morrow morning.

SATURDAY, March 31, 1849.

Prayer by the Rev. Mr. Read.

The reading of the Journal of yesterday was dispensed with.

Mr. Gardner from the joint committee of conference on the disagreeing vote of the two houses on the of the committee of conference on bill

No. 160, [S.] a bill to pay the several persons the several sums therein named,

Reported as follows:

The committee of conference appointed on the disagreeing vote between the two houses on bill No. 160, (Senate file,) respectfully

REPORT:

That they have had the same under consideration, and unanimously recommend the passage of the bill, with the following amendments, to-wit:

Amend sec. 2, by striking out $207, and inserting $166.

Amend sec. 4, by striting out $157, and inserting $116.

Amend sec. 8, by striking out $157, and inserting $116.

Amend sec. 19, by striking out $50, and inserting $40.

Amend sec. 5, by striking out $124, and inserting $166.

The committee would recommend the addition of a section as follows:

Sec. To Wm. R. Smith and Wm. Hall, each, fifty dollars for preparing the journals of the Senate and Assembly of the present session for publication.

Amend sec. 6, by striking out $72,50, and inserting $124.

Amend by Senate receding from the Section appropriating $150.

E. T. GARDNER,
Ch'n of Senate.
JOHN DELANY,
Ch'n of Assembly.

And said report being under consideration,

Mr. Kinney moved to amend the same as follows:

"Strike out the new section allowing to Wm. R. Smith and Wm. Hall fifty dollars each for preparing the journals for publication;

Which was agreed to.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Chase, Fisher, Goodell, Horn, Kinney, Merrell, Norton, Sholes and Williams—9.

Those who voted in the negative, were

Messrs. Botkin, Boyd, Cothren, Gardner, Smith and Sprague—6.

And the report as amended was adopted.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Boyd, Chase, Cothren, Gardner, Smith, Sprague and Williams—7.

Those who voted in the negative, were

Messrs. Botkin, Fisher, Goodell, Horn, Kinney, Merrell and Norton—7.

The President voted in the affirmative.

Mr. Gardner asked and obtained leave of absence for himself.

On motion of Mr. Kinney,

Leave was granted to withdraw the account of H. C. Parker.

A message from the Assembly, by their chief clerk:

Mr. President: —

I am directed to present for your signature,

"An act to appropriate the several sums therein named ;"

Which have been signed by the Speaker of the Assembly.

The Assembly have refused to adopt the report of the committee of conference on the disagreeing vote of the Senate and Assembly on

No. 222, [A.] a bill on general provisions concerning husband and wife;

And have concurred in the amendments of the Senate to

No. 259, (A.) a bill prescribing the time when certain acts therein named shall take effect and providing for the publication thereof.

The Assembly have passed

No. 262, [A.] a bill to appropriate to the several persons the several sums therein named ;

In which the concurrence of the Senate is requested.

Mr. Chase from the committee of conferrence on the disagreeing vote of the two houses on the amendment of Senate to bill

No. 222, (A.) a bill on general provisions concerning husband and wife,

Made report as follows:

The committee of conference on bill No. 222, [A.] report recommending that the Assembly concur in the amendment of the Senate.

W. CHASE,
F. W. HORN,
J. DAUGHERTY.

Which report was considered and adopted.

The message of the Assembly was taken up, and bill

No. 259, (A.) a bill prescribing the time when certain acts therein named shall take effect and providing for the publication thereof.

Was read a first and second times.

On motion of Mr. Chase,

All rules were suspended in relation to said bill No. 259, [A.],

And it was ordered to a third reading now;

And said bill No. 259, [A.]

Was read a third time and passed.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Botkin, Chase, Gardner, Goodell, Kinney, Merrell, Norton, Sholes, Smith, Sprague and Williams—11.

Those who voted in the negative, were

Messrs. Fisher and Horn—2.

No. 262, (A.) a bill to appropriate to the several persons the several sums therein named;

Was read a first and second times.

Mr. Kinney on leave introduced bill

No. 163, (S.) a bill to appropriate a certain sum therein named;

Which was read a first and second times.

Mr. Horn moved that said bill No. 163, (S.) be indefinitely postponed;

Which was not agreed to.

And the ayes and noes having been called for,

Those who voted in the negative, were

Messrs. Botkin, Boyd, Chase, Cothren, Gardner, Goodell, Kinney, Merrell, Norton, Sholes, Smith, Sprague and Williams —13.

Mr. Horn voted in the affirmative—1.

A message from the Assembly, by their chief clerk:

Mr. President: —

I am directed to inform you that the Assembly have adopted the report of the committee of conference on the disagreeing vote of the Senate and Assembly on

No. 160, (S.) a bill to pay the several persons the several sums therein mentioned.

The Assembly have concurred in the passage of

No. 54, (S.) an act to amend an act entitled "an act to prescribe the mode of proceeding in chancery;"

Without amendment.

And have passed

No. 161, (A.) a bill to authorize the village of Sheboygan to aid in the construction of a road;

In which the concurrence of Senate is requested.

The Assembly have concurred in the amendments of the Senate to

No. 257, (A.) a bill to appropriate to the several persons the several sums therein named;

And have non-concurred in the amendment of the Senate to the report of the committee of conference on

No. 160, (S.) a bill to pay the several persons the several sums therein named.

Mr. Boyd moved to take up the resolutions in relation to Isaac P. Walker's resignation,

And also moved a call of the house;

And the roll having been called,

Mr. Cothren was reported absent.

Mr. Cothren having appeared in his seat, further proceedings in the call were suspended;

And said resolutions being under consideration,

And the question being,

"Will Senate recede from its amendments to said resolutions?"—

It was decided in the affirmative;

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Botkin, Boyd, Chase, Dennis, Gardner, Goodell, Merrell, Norton, Sholes and Sprague—10.

Those who voted in the negative, were

Messrs. Cothren, Fisher, Horn, Kinney, Smith and Williams —6.

Mr. Sholes, from the joint committee on public printing, made the following

REPORT:

The joint committee on printing, to which was referred the account of David T. Dickson, beg leave to report:

That the late hour at which the printed copies of the work on which the account is predicated, were handed in, rendered it impossible for the committee to examine critically every item charged, and they were compelled to examine the account hastily and generally. The committee would state, that they consider the basis upon which the charges are made as wrong, but as the basis has been in a measure established by precedent, and the contract for printing was probably taken in view of the usage so established, the committee would recommend that it be not interfered with on the present occasion. There is, however, a manifest departure in the work, from the specimens deposited in the Secretary's office, under which the contract was taken, which justifies and demands a reduction of the amount claimed; and the committee recommend a reduction, in consequence of such departure of fifteen per cent., on the account for Assembly printing, and ten per cent. on that for the Senate. The committee also recommend the striking out of an item of $22 charged for ink, as both unreasonable and unprecedented, and report a bill accordingly.

The committee also present the following joint resolution, to remedy, if possible, the wrong which is at present perpetrated under the contract system.

C. LATHAM SHOLES,
Ch'n Senate.

We dissent from the above report.

H. MERRELL,
JOHN DELANY,
Ch'n Assembly.

Resolved, by the Senate and Assembly, that in all incidental printing hereafter to be done for the State, until a different rule is established, the following specifications shall be observed:

The composition of all bills shall count what they measure, and no more, except that fractional pages shall count as full pages.

No more paper shall be paid for than is actually used.

Deductions shall be made where the work is forced out an unnecessary extent.

No more than two blank pages shall be allowed for at the end of any report or other document printed in octavo form.

Double price shall be allowed for rule and figure work.

The size of all paper to be used shall be specified in the contract.

Which resolutions were considered and adopted.

And the following bill accompanying said report, viz:

No. 164, [S.] a bill to appropriate the sum therein named,

Was read a first and second times.

Mr. Boyd, from the committee on the militia, to whom had been referred

No. 27, (A.) a bill to provide for the enrollment of the militia,

Reported said bill back, with amendment;

And said bill No. 27, (A.) was read a second time.

The message of the Assembly was taken up,

And bill

No. 261, (A.) a bill to authorize the village of Sheboygan to aid in the construction of a road,

Was read a first and second times.

Mr. Chase moved that the Senate recede from its non-concurrence in the adoption of the report of the committee of conference on bill

No. 160, (S.) a bill to pay the several persons therein mentioned;

Which was decided in the affirmative;

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Botkin, Boyd, Chase, Cothren, Dennis, Gardner, Merrell, Sholes, Smith, Sprague and Williams—11.

Those who voted in the negative, were

Messrs. Fisher, Goodell, Horn, Kinney and Norton—5.

Mr. Merrell, from the committee on engrossed bills, reported as correctly engrossed,

No. 122, (S.) a bill for an act to prevent certain animals from running at large.

On motion of Mr. Chase,

Senate resolved itself into a committee of the whole on the general file of bills;

Mr. Kinney in the chair.

After some time spent therein, the committee rose, and by their chairman reported the following bills:

No. 239, (A.) of the rates of toll for grinding;

No. 258, (A.) a bill to appropriate to David Holt, jr., the sum therein named;

And,

No. 261, (A.) a bill to authorize the village of Sheboygan to aid the construction of a road;

And,

No. 119, (S.) a bill to locate a State penitentiary, for the manufrcture of iron, at Fort Winnebago;

Without amendment;

And,

No. 27, (A.) a bill to provide for the enrollment of the militia;

And, No. 163, (A.) a bill to appropriate a certain sum therein named;

With amendments to each;

And reported progress on the general file of bills, and ask leave to sit again;

Which was granted.

The amendments of the committee of the whole to bill No. 27 [A.] were considered and concurred in;

And said bill No. 27, (A.) was ordered to a third reading now,

Under suspension of all rules;

And said bill No. 27, (A.) was read a third time, passed, and the title agreed to.

The amendments of the committee of the whole to bill No. 163, (S.),

Were considered and concurred in;

And said bill No. 163, (S.) was read a third time and passed;

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Boyd, Chase, Dennis, Goodell, Kinney, Merrell, Sholes, Smith, Sprague and Williams—10.

Those who voted in the negative, were

Messrs. Botkin, Fisher and Norton—3.

The title of the bill was agreed to.

No. 258, (A.) was read a third time and passed;

And the ayes and noes having been called,

Those who voted in the affirmative, were

Messrs. Botkin, Boyd, Chase, Dennis, Fisher, Goodell, Merrell, Norton, Smith, Sprague and Williams—11.

Messrs. Kinney and Sholes voted in the negative—2.

The title of the bill was agreed to.

No. 261, (A.) was read a third time and passed;

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Botkin, Boyd, Dennis, Goodell, Kinney, Merrell, Norton, Smith, Sprague and Williams—10.

Messrs. Chase and Sholes voted in negative—2.

The title of the bill was agreed to.

No. 239, (A.) was read a third time and passed;

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Botkin, Boyd, Kinney, Merrell, Norton, Smith, Sprague and Williams—8.

Those who voted in the negative, were

Messrs. Chase, Dennis, Goodell and Sholes—4.

The title of the bill was agreed to.

On motion of Kinney,

Bill No. 119, (S.) was laid on the table.

No. 122, (S.) a bill for an act to prevent certain animals from running at large,

Was read a third time and passed.

Mr. Botkin moved to amend the title as follows:

Strike out all after the word "bill," and insert, "to divide and organize the towns of Vienna and Westport;"

Which was not agreed to;

And the title, as amended, was agreed to.

Mr. President:—

I am directed to inform you that the Assembly have receded from their first amendment to

No. 104, (S.) a bill to appropriate the several sums therein named;

And have concurred in the amendments of Senate to

No. 235, (A.) a bill providing for superintending the publication of the revised statutes;

And,

No. 256, (A.) a bill to appropriate to the several persons the several sums therein named;

And have concurred in the passage of

No. 26, (S.) a bill to change the name of John Frambach to that of John Stoverker, and to make him heir at law of Barnard Stoverker, and Francisca, his wife;

No. 120, (S.) a bill to change the name of Catharine Frambach to that of Catharine Kroeger, and to make her heir at law of Henry Kroeger and Bernardina Kroeger;

No. 153, (S.) a bill to appropriate the several sums therein named; and, No. 162, (S.) a bill to provide for recording contracts relating to land;

Without amendments;

And have negatived

No. 129, (S.) of Normal schools,

By striking out the enacting clause;

And have passed

No. 259, (A.) a bill prescribing the time when certain actions therein named shall take effect, and providing for the publication thereof;

In which the concurrence of the Senate is requested.

On motion of Mr. Chase,

All rules were suspended in relation to bill

No. 164, (S.) a bill to appropriate the sum therein named;

And said bill was ordered to be read a third time now;

And said bill No. 164, (S.) was read a third time and passed;

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Botkin, Boyd, Chase, Dennis, Fisher, Goodell, Merrell, Norton, Sholes, Smith, Sprague and Williams—12.

None in the negative.

Mr. Botkin, from the committee on state affairs, to whom the subject had been referred, reported as follows:

A majority of the committee on State affairs, to whom was referred a "resolution in relation to what action is necessary to provide for the repairs of the capitol, and fitting up the same," would report that in consequence of the action of the last session of the Legislature depriving the superintendent of State property the right to make any expenditures for fitting up, or repairs in or about the capitol, we find the expenditure made by those who assumed the responsibility to fit up the rooms in the capitol, to have cost much more than any other time before expended for that purpose.

The law to elect a Librarian having been defeated, leaving the control of the whole matter in the hands of the Governor, we cannot recommend anything in relation to the matter. The Governor having by law the entire control of all State property, your committee think that the responsibility must rest upon the Executive, and he be responsible for the necessary repairs and the amount of the expenditure for such work.

All of which is submitted.

A. BOTKIN,
ASA KINNEY.

March 31, 1849.

Which report was received, and the committee discharged from further consideration of the subject.

Mr. Botkin, from the committee on state affairs, to whom the subject had been referred, reported as follows:

The committee on state affairs, to whom was referred a resolution of the board of supervisors of the county of Milwaukee; also a communication from the clerk of said board on the subject of a State lunatic asylum,

REPORT:

That they have had the subject under consideration; that the great press of business during the session has prevented your committee from giving that attention to the subject which the great importance of such an institution demands. Fully concurring with the board that steps should be taken at the earliest possible time to provide for an institution of so much importance to the State, and hope that the attention of the next Legislature will be turned to the subject at an early day in the session, that they may take such action as may have the desired result.

A. BOTKIN,
ASA KINNEY,
MYRON B. WILLIAMS.

Which report was received, and the committee discharged from the further consideration of the subject.

On motion of Mr. Chase,

Senate adjourned until 3 o'clock this afternoon.

SAME DAY, 3 O'CLOCK.

Mr. Boyd introduced the following resolution:

Resolved, by the Senate and Assembly, that the committee on enrolled bills are hereby authorized to correct the act entititled "an act to appropriate the several sums therein named," by striking out "seventy," and inserting "sixty," in the appropriation to John E. Holmes, Lieutenant Governor;

Which was adopted.

A message from the Assembly, by their chief clerk:

Mr. President—

I am directed to present for your signature,

"Chapter of divorces;"

Which has been signed by the Speaker of the Assembly.

The Assembly have passed

No. 264, (A.) a bill to distribute the statutes and journals;

In which the concurrence of the Senate is requested.

And has passed the following resolution:

Resolved, (the Senate concurring,) that in our opinion the law authorizing the issue of warrants by the Secretary of State upon appropriations made, is yet in force;

In which the concurrence of the Senate is requested.

The messages of the Assembly were taken up,

And bill

No. 262, (A.) a bill to appropriate to the several persons the several sums therein named,

Was read a first and second times.

No. 264, (A.) a bill to distribute the statutes and journals,

Was read a first and second times.

On motion of Mr. Kinney,

All rules were suspended in relation to said bill No. 264, (A.),

And it was ordered to a third reading now;

And said bill No. 264, (A.) was read a third time and passed;

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Boyd, Dennis, Goodell, Horn, Merrell, Norton and Sprague—7.

Those who voted in the negative, were

Messrs. Botkin, Chase, Fisher, Kinney, Smith and Williams—6.

The title of the bill was agreed to.

The resolution in relation to the issuing of warrants by the Secretary of State on appropriations made,

Was considered and adopted;

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Botkin, Boyd, Dennis, Goodel, Horn, Norton, Smith, Sprague and Williams—9.

Those who voted in the negative, were

Messrs. Chase, Fisher, Kinney and Merrell—4.

On motion of Mr. Kinney,

All rules were suspended in relation to No. 262, (A.),

And it was ordered to a third reading now;

And being put on its third reading,

Mr. Horn called for a division of the question on the several sections;

And the question being on the following sections,

3d section: It was not adopted.

4th section: It was not adopted.

5th section: It was not adopted.

6th section: It was adopted. 7th section: It was adopted.

8th section: It was not adopted.

And said bill No. 262, (A.), was read a third time and passed;

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Botkin, Cothren, Dennis, Fisher, Goodell, Norton, Sprague and Williams—8.

Those who voted in the negative, were

Messrs. Chase, Horn, Kinney, Merrell and Smith—5.

The title of the bill was agreed to.

A message from the Assembly, by their chief clerk:

Mr. President: —

I am directed to present for your signature,

"An act in relation to crimes and punishments therefor;"

And,

"An act to provide for tribunals of conciliation in the several townships in this State, and the regulation thereof;"

Which have been signed by the Speaker of the Assembly.

The Assembly have concurred in the amendments of the Senate, to

No. 27, (A.) a bill to provide for the enrollment of the militia;

And have passed

No. 265, (A.) a bill establishing the time of holding the circuit courts in Columbia county;

In which the concurrence of Assembly is requested.

The message of Assembly was taken up,

And bill No. 265, (A.) was read a first and second times.

On motion of Mr. Williams,

All rules were suspended in relation to said bill No. 265, (A.),

And it was ordered to a third reading now;

And No. 265,(A.) was read a third time, passed, and the title agreed to.

Mr. Williams offered the following resolution:

Resolved, by the Senate and Assembly, that the enrolling committee is authorized to change the words "first Monday in October," and insert "third Monday in September in the second section of the act fixing the times of holding circuit courts, where they prescribe the time for holding the circuit court in the county of Columbia;

Which was adopted.

Mr. Norton, from the committee on enrolled bills, reported as follows:

The joint special committee on enrolled bills, reported by the revisers and committee on compilation would report that they have examined the following named bills, and find them correctly enrolled, viz:

No. 259, (A.) a bill prescribing the time when certain acts therein named shall take effect, and providing for the publication thereof;

No. 240, (A.) of marks and brands for horses, cattle, and hogs, and filing chattel mortgages;

No. 242, (A.) of the collection of penalties, forfeitures and fines;

No. 241, (A.) of fence viewers, of pounds, and the impounding of cattle;

No. 132, (A.) general provisions concerning courts, and the powers and duties of certain judicial officers;

No. 163, (A.) a bill concerning the proceedings in chancery;

No. 185, (A.) a bill in relation to mills and mill-dams;

No. 220, (A.) a bill concerning the incorporation of villages;

No. 154, (A.) of proceedings as for contempts, to enforce civil remedies, and to protect the rights of parties in civil actions;

Correctly enrolled.

O. W. NORTON.

A message from the Assembly, by their chief clerk:

Mr. President:—

I am directed to inform you that the Assembly has concurred in the adoption of the following resolution relative to printing.

The Assembly have concurred in the passage of

No. 163, (S.) a bill to appropriate certain sums therein named; and,

No. 164, (S.) a bill to appropriate the sums therein named;

With amendments to each;

In which the concurrence of the Senate isrequested.

Also in the passage of

No. 122, (S.) an act to divide and organize the towns of Vienna and Westport;

Without amendment;

And that Assembly has concurred in the passage of the following resolution:

Resolved, by the Senate and Assembly, that the enrolling committee is authorized to change the words "first Monday in October," and insert "third Monday in September," in the second section of the act fixing the times of holding circuit courts, where they prescribe the time for holding the circuit court in the county of Columbia.

And has passed the following resolution:

Resolved, by the Senate and Assembly, that the Secretary of State be authorized to employ a clerk in his office, and that the expense of the employment of such clerk be paid out of the State Treasury, at a sum not exceeding $300 in any year;

In which the concurrence of the Senate is requested.

And have passed

No. 263, (A.) a bill to pay Robert Lansing;

In which the concurrence of the Senate is requested.

And have non-concurred in the amendments of the Assembly to

No. 262, (A.) a bill to appropriate to the several persons the several sums therein named.

The message of the Assembly was taken up,

And bill

No. 263, (A.) a bill to pay Robert Lansing,

Was read a first and second times.

On motion of Mr. Dennis, bill

No. 172, (A.) a bill to change the name of the town of Lexington and village of Dartford, and to vacate the alleys in said village,

Was taken from the table, and ordered to a third reading.

Mr. Merrell moved to lay the said bill on the table;

Which was not agreed to;

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Chase, Goodell, Merrell, Norton and Smith—5.

Those who voted in the negative, were

Messrs. Boyd, Dennis, Fisher, Horn, Kinney, Sprague and Williams—7.

Mr. Merrell moved a call of the house;

And the rolled having been called,

Messrs. Botkin, Cothren and Sholes were reported absent.

Further proceedings in the call were suspended;

And said bill No. 172, (A.) was read a third time and passed;

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Boyd, Dennis, Fisher, Horn, Kinney, Sprague and Williams—7.

Those who voted in the negative, were

Messrs. Chase, Goodell, Merrell, Norton and Smith—5.

The title of the bill was agreed to.

The following resolution,

Resolved, by the Senate and Assembly, that the Secretary of State be authorized to employ a clerk in his office, and that the expense of the employment of such clerk be paid out of the State Treasury at a sum not exceeding $300 in any year,

Being under consideration;

It was not agreed to;

And the ayes and noes having been called,

Those who voted in the affirmative, were

Messrs. Botkin, Fisher, Horn and Sprague—4.

Those who voted in the negative, were

Messrs. Boyd, Chase, Dennis, Goodell, Kinney, Merrell, Norton, Smith and Williams—9.

No. 263, (A.) a bill to pay Robert Lansing,

Was read a third time and passsed;

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Botkin, Chase, Dennis, Fisher, Goodell, Horn, Kinney, Merrell, Norton, Smith, Sprague and Williams—12.

None in the negative.

The title of the bill was agreed to.

The amendments of Assembly to bill

No. 164, (S.) a bill to appropriate the sums therein named,

Were considered and concurred in;

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Botkin, Boyd, Chase, Dennis, Horn, Norton, Smith, Sprague and Williams—9.

Those who voted in the negative, were

Messrs. Cothren, Fisher, Goodell, Kinney and Merrell—.5

No. 262, (A.) a bill to appropriate to the several persons the several sums therein named, being under consideration,

And the question being on Senate receding from its amendments to said bill,

Mr. Cothren moved that Senate insist on its amendments to said bill; Which was agreed to;

And on motion of Mr. Cothren,

A committee of conference, consisting of Messrs. Cothren and Chase were appointed on part of the Senate on the disagreeing vote af the two houses on the amendments of Senate to said bill No. 262, (A.)

On motion of Mr. Kinney,

Senate adjourned until half-past seven o'clock this evening.

SAME DAY, HALF-PAST 7 O'CLOCK P. M.

A message from the Assembly, by their chief clerk:

Mr. President: —

I am directed to inform you that the Assembly have concurred in the amendments of the Senate to

No. 172, (A.) a bill to change the name of the town of Lexington and village of Dartford, and to vacate the alleys in said village;

And have appointed Messrs. Strong and Bird as a committee of conference on the disagreeing vote of the Senate and Assembly on

No. 262, (A.) a bill to appropriate to the several persons the several sums therein named.

The Assembly have passed

No. 266, (A.) a bill to appropriate the several sums therein named;

In which the concurrence of the Senate is requested.

The Assembly have adopted the report of the committee of conference on the disagreeing vote of the Senate and Assembly on

No. 262, (A.) a bill to appropriate to the several persons the several sums therein named.

Mr. Cothren from the committee of conference on the disagreeing vote of the two houses on said bill

No. 262, (A.) a bill to appropriate to the several persons the several sums therein named,

Reported as follows:

Amend section 3, by striking out "twenty-seven dollars" and inserting "seven dollars and fifty cents."

Amend section 4, by striking out "twenty-four" and inserting "six."

Strike out section 5.

Retain section 8.

Which report was considered and adoped.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Boyd, Chase, Fisher, Goodell, Horn, Kinney, Merrell, Norton, Sholes, Smith, Sprague and Williams—13.

None in the negative.

The message of the Assembly was taken up, and bill

No. 266, [A.] a bill to appropriate the several sums therein named,

Was read a first and second times.

On motion of Mr. Kinney,

All rules were suspendeded in relation to said bill, and it was ordered to a third reading now;

And said bill No. 266, [A.]

Being on its third reading,

Mr. Botkin moved to strike out of the appropriation to H. C. Parker, "$70," and insert "$20;"

Which was agreed to.

And said bill No. 266, [A.]

Was read a third time and passed.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Botkin, Boyd, Chase, Cothren, Goodell, Sholes and Sprague—7.

Those who voted in the negative, were

Messrs. Fisher, Horn, Merrell, Smith and Williams—5.

The title of the said bill was agreed to.

Mr. Boyd from the committee on enrolled bills, reported as follows:

The committee on enrolled bills would report,

No. 160, (S.) a bill to pay the several persons the several sums therein mentioned;

No. 117, [A.] a bill in relation to crimes and punishments;

No. 180,]A.] a bill to provide for tribunals of conciliation in and for the several townships in this State, and the regulation thereof;

No. 157, [A.] an act to appropriate to the several persons the several sums therein named;

No. 56, [S.] an act to prescribe the terms of the supreme court and to require the adoption of rules of practice;

No. 98, [A.] a bill concerning divorces;

No. 159, [S.] a bill to appropriate the several sums therein named;

No. 103, [S.] a bill relating to set-offs, amendments, the action of ejection and the time of commencing actions;

No. 218, [A.] a bill concerning timber and lumber floating upon adjoining waters and carried upon adjoining lands;

No. 219, [A.] a bill concerning public shows and exhibitions;

No. 109, [S.] a bill to pay to Daniel Noble Johnson the sum therein named;

No. 88, [S.] a bill to legalize organization of school district No. one in the town of summit;

No. 152, [S.] a bill to provide for levying a State tax;

No. 161, [S.] a bill to pay William Doughty the interest on five bonds issued by the Territory of Wisconsin;

No. 137, [S.] of the relief and support of the poor;

As correctly enrolled.

A message from the Assembly, by their chief clerk:

Mr. President: —

I am directed to present for your signature, "An act to authorize school district number seven, in the town of Ottawa, Waukesha county to levy a tax to build a school house;"

"An act to incorporate the Jefferson county Normal school;"

"An act to declare the county jail of Waukesha county the State Prison until otherwise provided by law;"

"An act to incorporate the Free Congregational Church of the city of Milwaukee;"

"An act to authorize James Weaver and others to build a dam;"

"An act to authorize James B. Miller to keep and maintain a Ferry across the Wisconsin river;"

"An act to establish and lay out a certain road;"

"An act to alter the boundaries of the town of Milford in Jefferson county;"

"An act to authorize the Board of Supervisors of Sheboygan county to erect county buildings;"

"An act to authorize the inhabitants of school district No. 1 in the town of Hazel Green, in the county of Grant, to raise a tax to build a school house in said district;"

"An act concerning the publication of the decisions of the Supreme Court of the late Territory of Wisconsin;"

"An act authorizing the Governor to draw the five per centum of the nett proceeds of the public lands;"

"An act to pay the commissioners to revise the laws and their clerk;"

"An act to appropriate to H. A. Tenney the sum therein named;"

"An act to appropriate to the several persons the several sums therein named;"

Which have been signed by the Speaker of the Assembly.

The message of the Assembly was taken up, and the question being on concurring in the amendments of the Assembly to bill

No. 163, (S.) a bill to appropriate a certain sum therein named;

They were non-concurred in.

And the ayes and noes having been called for,

Those who voted in the negative, were

Messrs. Botkin, Boyd, Chase, Cothren, Dennis, Goodell, Merrell, Norton, Sholes, Smith, Sprague and Williams—12.

Mr. Horn voted in the affirmative—1.

On motion of Mr. Sholes,

A committee of conference consisting of Messrs. Sholes and Smith was appointed on the disagreeing vote of the two houses on said bill No. 163, (A.)

Mr. Smith moved that the chief clerk be directed to request the Assembly to return bill

No. 258, (A.) a bill to appropriate to David Holt, jr., the sum therein named,

For further action;

Which was agreed to.

A message from the Assembly, by their chief clerk:

Mr. President: —

I am directed to inform you that the Assembly have appointed Messrs. Strong and Colwell as a committee of conference on the disagreeing vote of the Senate and Assembly on

No. 163, (S.) a bill to appropriate certain sums therein named.

Mr. Sholes from the committee of conference on the disagreeing vote of the two houses on bill No. 163, (S.) reported as follows:

The committee of conferrence to which was referred the disagreeing vote of the two houses on the "bill to appropriate certain sums therein named," beg leave to report the following amendments to the bill:

Sec. 2. That the seals engraved by E. H. Rudd now in the office of the Secretary of State, shall be returned to said Rudd to be re-engraved; and when so re-engraved, they shall be returned to said Secretary's office.

Sec. 3. On their return as aforesaid the Secretary of State and the Treasurer shall be a committee to examine the said Seals, and if they approve of them, the Treasurer is hereby authorized to pay said Rudd at the rate of six dollars for each seal, deducting the appropriation made in the first section of this action.

Sec. 4. Said Rudd is authorized to receive the Seal of the State, and the Supreme Court Seal, which have been rejected.

C. L. SHOLES,
Chairman.

And said report was considered and adopted.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Botkin, Boyd, Chase, Dennis, Goodell, Merrell, Sholes, Smith, Sprague and Williams—10.

Those who voted in the negative, were

Messrs. Cothren, Horn and Norton—3.

A message from the Assembly by their chief clerk:

Mr. President—

I am directed to inform you that the Assembly have concurred in the amendment of the Senate to

No. 266, (A.) a bill to appropriate the several sums therein named.

Mr. Williams moved that Senate rescind the vote by which Senate requested the Assembly to return to Senate for further action, bill

No. 258, (A.) a bill to appropriate to David Holt, jr., the sum therein named;

Which was agreed to.

Mr. Boyd, from the committee on enrolled bills, reported as follows:

The committee on enrolled bills would report, that they have this day presented to the Governor for his approval, "an act relating to the distribution of the income of the school fund;"

"An act concerning religious societies;"

"An act of marriages;"

"An act to punish seduction as a crime;"

"An act to authorize the construction of a bridge across Nepasink lake;"

"An act to amend an act entitled 'an act to organize the county of Manitowoc for judicial purposes, approved March 2, 1848;"

"An act to provide for laying out and establishing certain roads therein named;"

"An act to amend an act to incorporate the Southport and Beloit road company;"

"Joint resolution relative to the Military reserve at Fort Winnebago;"

"An act concerning navigable rivers;"

"An act to provide for the payment of certain persons therein named;"

"An act to appropriate to the county of St. Croix the sum therein named;"

"An act of the racing of animals;"

"An act to punish trespass on university and school lands;"

"An act to incorporate the Watertown Academy;"

"An act of libraries and lyceums;"

"An act relating to private nuisances and general provisions relating to actions concerning real estate;"

"An act concerning county surveyors;"

"An act of the preservation of the public health;"

"An act to appropriate the several sums therein named;"

"An act in relation to medical societies, and for the promotion of medical science;"

"An act to authorize the trustees of Plum Grove school district in the town of Cassville, Grant county, to levy a tax to build a school house;"

"An act to authorize the construction of a dam across the Pickatonica river, in Lafayette county;"

"An act to enable the town of Janesville, in the county of Rock, to apply the moneys received for licenses granted for the sale of ardent spirits in said town, to the support of the poor;"

"An act to legalize certain roads in Winnebago county;"

"An act to authorize the electors of Lafayette to vote on the removal of the county seat;"

"An account for laying out certain roads therein described;"

"An act relative to seals;"

"An act concerning the money of account."

Mr. Boyd, from the committee on enrolled bills, reported as follows:

The committee on enrolled bills would report,

No. 153, (S.) a bill to appropriate the several sums therein named;

No. 54, (S.) an act to amend an act entitled 'an act to prescribe the mode of proceeding in chancery;'

No. 26, (S.) a bill to change the name of John Frambach to that of John Stoverker, and to make him heir at law of Barnard Stoverker, and Francisca, his wife;

No. 104, (S.) a bill to appropriate the several sums therein named;

No. 120, (S.) a bill to change the name of Catharine Frambach to that of Catharine Kroeger, and to make her heir at law of Henry Kroeger and Bernardina Kroeger;

No. 162, (S.) a bill to provide for recording contracts relating to land;

(A.) Joint resolutions instructing the Hon. Isaac P. Walker to resign his seat as United States Senator;

No. 239, (A.) of the rates of toll for grinding;

No. 235, (A.) a bill concerning proceeding in chancery;

No. 235, (A.) a bill providing for superintending the publication of the revised statutes;

No. 251, (A.) a bill to extend the time for collecting the taxes in certain towns, in the county of Brown, for the year 1848;

No. 255, (S.) a bill of proceedings against corporations in chancery;

No. 254, (A.) an act for the payment of the mileage and per diem of the electors of President and Vice President of the United States for the State of Wisconsin;

No. 255, (A.) a bill authorizing certain suits in behalf of the State to be commenced in any county;

No. 171, (A.) a bill to provide for laying out certain roads therein described;

No. 143, (A.) a bill relating to real estate, wills, executors, and administrators;

No. 171, (A.) a bill granting certain privileges to Robert Tofflemire and his associates;

As correctly enrolled.

Mr. Boyd from the committee on enrolled bills, reported as follows:

The committee on enrolled bills would report, that they have this day presented to the Governor for his approval,

"An act to provide for the election of other than for town officers;"

"An act relating to the several counties of the State;"

"An act relating to common schools;"

"An act in relation to highways and bridges;"

"An act in relation to counties and county officers;"

"An act relating to the sale of spirituous liquors;"

"An act to prevent the sale of intoxicating liquors to Indians;"

"An act for the relief of persons confined in jail on civil process;"

"An act authorizing the maintainance of actions by persons holding claims on United States lands;"

"An act to provide for the publication of legal decisions;"

"An act relating to improvements on real estate;"

"An act concerning waste;"

"An act to prevent fraudulent conveyances and contracts relative to real and personal property;"

"An act relative to bills of exchange and promissory notes;"

"An act relative to proceedings by and against corporations in courts of law;"

"An act to punish trespass on lands;"

"An act to authorize the appointment of commissioners to take the acknowledgement of deeds and other contracts, and depositions in other States;"

"An act in relation to the legislature;"

"An act in relation to the resignation, vacancies, and removals, and of supplying vacancies;"

"An act to provide for the collection of demands against boats and vessels;"

"An act in regulating to Ferries;"

"An act in relation to the disposition of unclaimed property;"

"An act in relation to strays;"

"An act relating to penalties for violating election laws;"

"An act on printing;"

"An act relative to the incorporation of companies to construct plank and turnpike roads;"

"An act to defray the contingent expenses of the Executive office;"

"An act relative to the foreclosure of mortgages by advertisement;"

"An act to provide for the annual meeting of the legislature;"

"An act concerning the nature of estates in lands and of uses and trusts;"

"An act relating to guardians and wards;"

"An act relating to the partition of lands;"

"An act relating to writs of mandamus and prohibition;"

"An act relative to informations in the nature of a quo warranto;"

"An act relative to the incorporation of cemetary associations;"

"An act relative to masters and apprentices;"

"An act for the relief of insolvent debtors;"

"An act relative to Bastards;"

"An act relative to homicide;"

"An act for the formation of corporation for manufacturing and other purposes;"

"An act relative to the law of the road and the regulation of public carriages;"

"An act to provide for recording town plats;"

"An act relative to inquests of the dead;"

"An act concerning the writ of habeas corpus;"

"An act for the distribution of the arms of the State;"

"An act to prevent forcible entries and unlawful detainers;"

"An act for general provisions relating to corporations;"

"An act concerning electric telegraphic lines;"

"An act concerning oaths;"

"An act relating to the action of replevin;"

"An act concerning grand and petit jurors;"

"An act in relation to testimony and depositions;"

"An act relating to proceedings against debtors by attachment;"

"An act for mechanics and laborers lien;"

"An act to pay the commissioners to revise the laws, and their clerk;"

"An act to appropriate to the several persons the several sums therein named;"

"An act to authorize James B. Miller to keep and maintain a Ferry across the Wisconsin river;"

"An act to establish and lay out a certain road;"

"An act to alter the boundaries of the town of Milford in Jefferson county;"

"An act to declare the county jail of Waukesha county the State Prison until otherwise provided by law;"

"An act to incorporate the Free Congregational Church of the city of Milwaukee;"

"An act to authorize school district number seven, in the town of Ottawa, Waukesha county to levy a tax to build a school house;"

"An act to authorize James Weaver and others to build a dam;"

"An act to incorporate the Jefferson county Normal school;"

"An act to appropriate to H. A. Tenney the sum therein named;"

"An act authorizing the Governor to draw the five per centum of the nett proceeds of the public lands;"

"An act concerning the publication of the decisions of the Supreme Court;"

"An act to authorize the inhabitants of school district No. 1 in the town of Hazel Green, in the county of Grant, to raise a tax to build a school house in said district;"

"An act to authorize the Board of Supervisors of Sheboygan county to erect county buildings;"

"An act to appropriate the several sums therein named;"

"An act to amend an act entitled 'an act to prescribe the mode of proceeding in chancery;"

"An act to change the name of John Frambach to that of John Stoverker, and to make him heir at law of Barnard Stoveker, and Francisca, his wife;"

"An act to appropriate the several sums therein named;"

"An act to change the name of Catharine Frambach to that of Catharine Kroeger, and to make her heir at law of Henry Kroeger and Bernardina Kroeger;"

"An act to provide for the recording contracts relating to lands;"

"Joint resolutions instructing the Hon. Isaac P. Walker to resign his seat as United States Senator;"

"An act of the rates of toll for grinding;"

"An act concerning the proceedings in chancery;"

"An act providing for the superintending the publication of the revised statutes;"

"An act extending the time for collecting the taxes in certain towns, in the county of Brown, for the year 1848;"

"An act of proceedings against corporations in chancery;"

"An act for the payment of the mileage and per diem of the electors of President and Vice President of the United States for the State of Wisconsin;"

"An act authorizing certain suits to be commenced in behalf of the State in any county;"

"An act to provide for laying out certain roads therein described;"

"An act relating to real estate, wills, executors and administrators;"

"An act granting certain privileges to Robert Tofflemire and his associates;"

"An act to establish the University of Wisconsin;"

"An act to organize county courts;"

"An act concerning probate courts;"

"An act to appropriate to the several persons the several sums therein named;"

"An act to appropriate the several sums therein named;"

"An act to provide for the formation of uniformed companies;"

"An act to appropriate certain sums therein named;"

"An act to appropriate certain sums therein named;"

"An act to divide and organize the towns of Keuna and Westport;"

"An act to appropriate the sums therein;"

"An act concerning divorce;"

"An act to appropriate to David Holt, jr., the sums therein named;"

"An act to distribute the Statutes and Journals;"

"An act to pay Robert Lansing;"

"An act to authorize the village of Sheboygan to aid in the construction of a road;"

"An act for revising and consolidating the general statutes of the State of Wisconsin;"

"An act concerning costs and fees;"

"An act of fences and fence viewers, and of pounds, and the impounding of cattle;"

"An act establishing the time of holding the circuit courts in Columbia county;"

"An act concerning timber and lumber floating upon adjoining waters, and carried upon adjoining lands;"

"An act concerning the collection of penalties, forfeitures and fines;"

"An act to change the name of the village of Dartford, in the county of Marquette;"

"An to change the name of the town of Lexington, in the county of Marquette;"

"An act to vacate a part of the town plat of the village of Dartford, in the county of Marquette;"

"An act to fix the times for holding the circuit courts;"

"An act on marks and brands for horses, cattle, sheep, and filing chattel mortgages;"

"An act prescribing the time when certain acts therein named shall take effect and providing for the publication thereof;"

"An act of the incorporation of villages;"

"An act in relation to the school and university lands, sale and superintendence thereof and the powers and duties of commissioners of said lands;"

"An act concerning judgments and executions;"

"An act to repeal all the acts which are consolidated in the revised statutes;"

"An act of proceedings as for contempts to enforce civil remedies, and to protect the rights of parties in civil actions;"

"An act to prescribe the times of the Supreme Court, and to require the adoption of rules of practice;"

"An act concerning courts held by justices of the peace;"

"An act to pay William Dougherty the interest on five bonds issued by the Territory of Wisconsin;"

"An act to legalize the organization of school district No. 1, in the town of Summit;"

"An act to pay Daniel Noble Johnson the sum therein named;"

"An act to provide for levying a State tax;"

"An act of the relief and support of the poor;"

"An act to pay the several persons the several sums therein mentioned;"

"An act of the action of ejectment;"

"An act to appropriate to the several persons the several sums therein named;"

"An act in relation to crimes and punishments thereof;"

"An act to provide for tribunals of conciliation in the seveal townships in this State, and the regulation thereof."

On motion of Mr. Chase,

Senate adjourned until 6 o'clock on Monday morning.

MONDAY, April 2, 1849.

The reading of the journal of Monday was dispensed with.

The President called Mr. Boyd to the chair.

Mr. Sholes offered the following resolution:

Resolved, That the cordial thanks of this Body, are tendered to Lieut. Governor Holmes for the able, impartial and kind manner in which he has discharged the duties of the chair during the long and arduous session, which is now drawing to a close; and in separating, he will carry with him our warmest wishes for his continued happiness and prosperity.

Which was unanimously adopted.

Mr. Chase offered the following resolution:

Resolved, That the Senate now proceed to the election of a President pro tempore, to hold during the recess of the Senate, and until the organization of the next session.

Which was adopted.

And the roll having been called,

Messrs. Botkin, Cothren, Dennis, Fisher, Sholes and Williams voted for Mr. Smith—6.

Messrs. Boyd, Chase, Goodell, Merrell, Norton, Smith and Sprague, voted for Mr. Botkin—7.

Mr. Botkin having received a majority of all the votes cast was declared duly elected President pro tempore of the Senate.

A message from the Assembly, by their chief clerk:

Mr. President—

I am directed to present for your signature,

"Joint resolutions instructing the Hon. I. P. Walker to resign his seat as United States Senator;"

"Of the rates of toll for grinding;"

"Chapter concerning costs and fees;"

"An act concerning proceedings in chancery;"

"An act concerning public shows and exhibitions;"

"An act to appropriate to the several persons the several sums therein named;"

"An act to appropriate to David Holt, jr., the sums therein named;"

"An act to authorize the village of Sheboygan to aid in the construction of a road;"

"An act concerning timber and lumber floating upon adjoining waters and carried upon adjoining lands;"

"An act concerning the collection of penalties forfeitures and fines;"

"An act to vacate a part of the town plat of the village of Dartford, in the county of Marquette;"

"An act to change the name of the town of Lexington in the county of Marquette;"

"An act to change the name of the village of Dartford in the county of Marquette;"

"An act to distribute the Statutes and Journals;"

"An act to fix the times for holding the terms of Circuit Courts;"

"An act establishing the time of holding the Circuit Courts in Columbia county;"

"An act to appropriate to David Holt, jr., the sums therein named;"

"An act to pay Robert Lansing;"

"An act to authorize the village of Sheboygan to aid in the construction of a road;"

"An act for revising and consolidating the Revised Statutes of the State of Wisconsin;"

"An act concerning proceedings in chancery;"

"An act on the collection of penalties, forfeitures and fines;"

"An act to appropriate to the several persons the several sums therein named;"

"An act concerning timber and lumber floating upon adjoining waters and carried upon adjoining lands;"

"An act concerning public shows and exhibitions."

I am also directed to inform you that the Asssembly has adopted the following resolution:

Resolved, by the Senate and Assembly, That the Secretary of State be and he is hereby instructed to transmit through the mail to each member of the legislature, a copy of such laws, passed at the present session as are to be published in pamphlet form;

In which the concurrence of the Senate is requested.

And the message of Assembly having been taken up,

The said resolution in relation to copies of the laws for each member of the legislature,

Was considered and adopted.

A communication from the Governor:

To the Senate—

I have this day approved, signed, and deposited in the office of the Secretary of State, acts of the following titles, to wit:

"An act of libraries and lyceums;"

"An act concerning navigable rivers;"

"An act to incorporate the Watertown Academy;"

"An act to amend an act to incorporate the Southport and Beloit road company;"

"An act relating to the distribution of the income of the school fund;"

"An act relating to private nuisances and general provisions relating to actions concerning real estate;"

"An act of the preservation of the public health;"

"An act to appropriate, to the county of St. Croix the sum therein named;"

"An act to provide for the publication of certain laws therein mentioned in the German and Norwegian languages;"

"An act to provide for the payment of certain persons therein named;"

"An act to provide for levying a State tax;"

"An act to pay the several persons the several sums therein named;"

"An act for the relief and support of the poor;"

"An act to pay to William Dougherty the interest on five bonds issued by the Territory of Wisconsin;"

"An act to appropriate the several sums therein named;"

"An act to pay to Daniel Noble Johnson the sums therein named;"

"An act to legalize the organization of school district No. 1, in the town of Summit;"

"An act for proceedings as for contempts to enforce civil remedies, and to protect the rights of parties in civil actions;"

"An act for the distribution of the arms of the State;"

"An act concerning electric telegraph lines;"

"An act relating to proceedings against debtors by attachment;"

"An act concerning grand and petit jurors;"

"An act relating to the action of replevin;"

"An act concerning oaths;"

"An act concerning the writ of habeas corpus;"

"An act relating to guardians and wards;"

"An act in relation to testimony and depositions;"

"An act to defray the contingent expenses of the Executive office;"

"An act relative to homicide;"

"An act relating to the law of roads and the regulations of public carriages;"

"An act for the relief of insolvent debtors;"

"An act relative to bastards."

NELSON DEWEY.

Executive Department,
March 31, 1849.

Mr. Chase offered the following resolution:

Resolved, by the Senate and Assembly, That a committee of one from each House be appointed to notify the Governor that the legislature have completed the business before them and enquire of his Excellency if he has any further communication to make;

Which was adopted,

And Mr. Chase was appointed such committee on part of the Senate.

A communication from the Governor:

To the Senate—

I have this day approved, signed, and deposited in the office of the Secretary of State,

"An act entitled 'an act in relation to the School and University lands, the sale and superintendance thereof and the powers and duties of the commissioners of said lands.

NELSON DEWEY.

Executive Department,
April 2nd, 1849.

A message from the Assembly by their chief clerk:

Mr. President—

The Governor has informed the Assembly that he did on the 31st instant approve, sign, and deposite in the office of the Secretary of State, sundry acts and resolutions, as per accompanying list:

EXECUTIVE DEPARTMENT,
March 31st, 1849.

To the Assembly:

I have this day, approved, signed and deposited in the office of the secretary of state, acts of the following titles, to wit:

An act concerning religious societies;

An act concerning the money of account.

An act to provide for laying out certain roads therein described;

An act to authorize the electors of LaFayette county to vote on the removal of the county seat;

An act to legalize certain roads in Winnebago county;

An act to enable the town of Janesville in the county of Rock,

to apply the monies received for licences granted for the sale ardent spirits in said town to the support of the poor;

An act to authorize the trustees of Plum Grove school district in the town of Cassville, Grant county, to levy a tax to build a school house;

An act to authorize the construction of a dam across the Peckatonica river in La Fayette county;

An act in relation to medical societies, and for the promotion of medical science;

An act concerning the crime of seduction;

An act to authorize the construction of a bridge across Nepasink lake;

An act to amend an act to organize the county of Manitowoc for judicial purposes, approved March 2, 1848;

An act concerning marriages;

An act to provide for laying out and establishing certain roads therein named;

An act concerning county surveyors;

An act relative to seals;

An act in relation to crimes and the punishment therefor;

An act to pay the commissioners to revise the laws, and their clerk;

An act to appropriate to the several persons the several sums therein named;

An act to pay to H. A. Tenney the sum therein named;

An act to establish and lay out a certain road;

An act to alter the boundaries of the town of Milford in Jefferson county;

An act to authorize school district number seven in the town of Ottawa, Waukesha county, to levy a tax to build a school house;

An act authorizing the governor to draw the five per centum of the nett proceeds of the public lands;

An act to authorize the board of supervisors of Sheboygan county to erect county buildings;

An act to authorize the inhabitants of school district number one, in the town of Hazel Green, Grant county, to raise a tax to build a school house in said district;

An act relating to common schools;

An act to prevent forcible entry and unlawful detainers;

An act for general provisions relating to corporations;

An act for the relief of persons confined in jail on civil process;

An act in relation to proceedings to compel the delivery of books and papers by public officers to their successors;

An act in relation to the legislature;

An act to provide for recording town plats;

An act to provide for the annual meeting of the legislature;

An act relative to the incorporation of cemetery associations;

An act relative to inquests of the dead;

An act relative to the foreclosure of mortgages by advertisement;

An act concerning the nature of estates in lands and of uses and trusts;

An act relating to the partition of lands;

An act relative to information in the nature of quo warranto;

An act relating to writs of mandamus and prohibition;

An act relating to penalties for violating election laws;

An act on printing;

An act relative to the incorporation of companies to construct plank and turnpike roads;

An act concerning waste;

An act to prevent fraudulent conveyances and contracts relative to real and personal property;

An act relative to bills of exchange and promissory notes;

An act relative to proceedings by and against incorporations;

An act to provide for the publication of legal decisions;

An act to punish trespass on lands;

An act to authorize the appointment of commissioners to take the acknowledgment of deeds and other instruments and depositions in other states;

An act relating to the several counties of the state;

An act to provide for the election of other than town officers;

An act in relation to the resignation, vacancies and removals and of supplying vacancies;

An act to provide for the collection of demands against boats and vessels;

An act regulating ferries;

An act in relation to strays:

An act to prescribe the terms of the supreme court;

An act concerning the action of ejectment, amendments, the time of commencing actions and set offs;

An act in relation to highways and bridges;

An act in relation to counties and county officers;

An act to prevent the sale of intoxicating liquor to the Indians;

An act authorizing the maintainance of actions by persons holding claims on United States lands;

An act relating to improvement on real estate;

Aa act concerning weights and measures;

An act authorizing certain suits in behalf of the state to be commenced in any county;

An act to appropriate certain sums therein named;

An act to divide and organize the towns of Vienna and Westport;

An act to extend the time for collecting the taxes in certain towns in the county of Brown for the year 1849;

An act to appropriate the sums therein named;

An act concerning proceedings in chancery;

An act to establish the university of Wisconsin;

An act for the payment of the mileage and per diem of the electors of president and vice-president of the United States for the state of Wisconsin;

An act concerning public shows and exhibitions;

An act concerning probate courts;

An act relating to proceedings against incorporations ;

An act to appropriate the several sums therein named ;

An act to appropriate to the several persons the several sums therein named ;

An act to restrain unauthorized banking ;

An act making general provisions concerning courts, and the powers and duties of certain judicial officers ;

An act to organize county courts ;

An act relating to the sale of spirituous liquors ;

An act in relation to the disposition of unclaimed property ;

An act to provide for the incorporation of villages ;

An act to appropriate the several sums therein named ;

An act to provide for recording contracts relating to land ;

An act to change the name of Catherine Framback to that of Catherine Kroeger, and to make her the heir at law of Henry Kroeger and Bernardina Kroeger ;

An act to change the name of John Framback to that of John Stoeverker, and to make him the heir at law of Bernard Stoverker and Francisca his wife ;

An act to appropriate the several sums therein named ;

Joint resolutions requesting the Hon. I. P. Walker to resign his seat in the United States senate ;

An act to authorize the village of Sheboygan to aid in the construction of a road ;

An act providing for superintending the publication of the revised statutes ;

An act to pay Robert Lansing ;

An act to vacate a part of the town plat of the village of Dartford in the county of Marquette ;

An act fixing the times for holding the terms of circuit courts;

An act to change the name of the village of Dartford in the county of Marquette ;

An act to change the name of the town of Lexington in the county of Marquette ;

An act so pay David Holt Jr., the sum therein named ;

An act to distribute the statutes and journals;

An act to provide for the incorporation of villages;

An act relating to marks and brands for horses, cattle, sheep, and hogs and filing chattel mortgages;

An act relating to the collection of penalties, forfeitures and fines;

An act for revising and consolidating the general statutes of the state of Wisconsin;

An act prescribing the time when certain acts therein named shall take effect, and providing for the publication thereof;

An act concerning timber and lumber floating upon adjoining waters and carried upon adjoining lands;

An act establishing the time of holding the circuit courts in Columbia county;

An act providing for the sale of the school section in the city of Racine;

An act to appropriate to the several persons the several sums therein named;

An act to provide for laying out certain roads therein named;

An act concerning divorce;

An act concerning fence viewers and pounds;

An act relating to powers and conveyances of lands, estates, in dower, and by the courtesey general provisions concerning estates, and title by descent, wills, settlement of estates, and title to real estate by special provisions of law;

An act relating to justices courts;

An act to repeal all the acts which are consolidated in the revised statutes;

An act to provide for the formation of uniformed companies;

An act concerning judgments and executions;

An act concerning costs and fees;

An act concerning rates of toll for grinding.

NELSON DEWEY.

I am directed to inform you that the Assembly have concurred in the resolution of the Senate appointing a committee of one from each House to inform the Governor that the legislature has completed the business of the present session, and have appointed Mr. Barber as a committee on the part of the Assembly under said resolution.

Mr. Chase from the committee appointed to wait on the Governor and inform him that the legislature had completed the business of the present session, and enquire if his Excellency had any further communication to make,

REPORTED:

That they had performed that duty, and that the Governor had informed them he had no further communication to make.

A message from the Assembly by their chief clerk:

Mr. President—

The Assembly have adopted the following resolution, in which the concurrence of the Senate is requested:

Resolved, That the chief clerk be directed to inform the Senate that the Assembly has finished the business before it and is now ready to adjourn.

Mr. Cothren offered the following resolution:

Resolved, That the chief clerk be directed to inform the Assembly that Senate has finished the business before it and is now ready to adjourn;

Which was adopted.

Mr. Chase offered the following resolution:

Resolved, That Senate do now adjourn *sine die;*

Which was adopted.

The President addressed the Senate as follows:

Senators:

The time has arrived that has been appointed to bring the labors of this Legislature to a close. We are now about to retire from a somewhat lengthy and most laborious session, to our several homes and associations, to mingle again with our constituents and re-unite with our families and friends. In bidding you adieu, I must, in justice to my own feelings, express to you individually and collectively my sincere thanks for the uniform forbearance and kindness I have received at your hands.

Nearly three months have passed since the commencement of this session, during which time we have gone through with an amount of business greater than at any previous session of the Legislature of either the Territory or State of Wisconsin. A work demanded by the almost unanimous voice of the people of the State—the revision of the statutes—has been accomplished, and it is confidently believed in a manner that will be highly beneficial and acceptable. This of itself, under ordinary circumstances, could hardly have been accomplished in less time than the present session. When we take this into account, and also the amount of local business, that our diversified interests and extended territory furnish for legislative action, we may, in truth, congratulate ourselves upon the facility with which we have accomplished the business of the session.

The subject matters that have engaged the attention of this Legislature, are probably of more importance than will come before any future Legislature of the State for several years to come. In addition to the choice of such officers as it devolves upon the Legislature to elect, the whole subject of our internal and municipal policy has passed under review,

On subjects of such magnitude and importance, differences of opinion must of necessity exist. That opinions thus differing, should be maintained with zeal, is not only justifiable, but highly commendable. This session has been no exception to the general rule. Yet it gives me great pleasure to say, as I can do with a sincere conviction of its truth, that in no instance have these differences of opinion been allowed to engender hostility or resentment.

I congratulate you, and thank you for the uniform courtesy that has prevailed in your intercourse with each other in this body. I trust attachments have been here formed, friendships here cemented, that will last us through life. And I hope we may all recur to this session with feelings of pleasure and gratification.

In parting, I must again repeat my warmest acknowledgments to the members of the Senate for their forbearance and kindness. To the several officers, I return my thanks for their various duties.

Gentlemen, our duties are brought to a close, and it only remains for me to commend you to the kind care of Providence, and to pronounce this Senate *adjourned without day.*

And the Senate adjourned without day.

APPENDIX.

DOCUMENTS

ACCOMPANYING GOVERNOR'S MESSAGE.

COMMUNICATION

FROM I. A. LAPHAM, ESQ., ON THE SUBJECT OF A STATE PENITENTIARY.

MILWAUKEE, December 9, 1848.

To his excellency NELSON DEWEY,
Governor of Wisconsin:

SIR: As you have been requested by a resolution of the State Legislature (of August 12, 1848,) to open a correspondence for the purpose of ascertaining the most eligible location for the erection of a State Penitentiary, I take the liberty of recommending for the consideration of the commissioners or persons who may hereafter be authorized to decide the matter, as one of the most eligible locations for this purpose—or at least one worthy of their favorable consideration—a point near the village of Portland, in the south-western part of the county of Dodge.

The most prominent and important argument to be presented in favor of this point, is the existence of an extensive ledge of granite rock, believed to be in every way suited for building purposes, and to possess a degree of firmness and durability which is not found in any of the building materials now used throughout the western states. This rock is not strictly or technically speaking, granite, which is essentially composed of three minerals—quartz, feldspar, and mica; but approaches more nearly to the character of sienite or quartz-rock, there being, apparently, but little feldspar or mica in its composition. Such rocks, however, are usually known by the name of granite. Sienite is the kind of rock usually found to be most durable in its nature, as it contains no feldspar, which—having an alkali as a part of its composition—is liable to decay.

In its general appearance this granite is not much unlike the famous Quincy granite, of which so much use is made in Boston, New York, and other places, in the construction of the most costly public monuments, buildings, and other structures intended to endure the test of ages. Sienite is the material of which many of the ancient monuments of Egypt were constructed. They have withstood the destroying effects of time, for at least three thousand years.

It frequently happens in opening new quarries that a large mass of decayed rock must be removed before we approach that which is solid; thus affording direct proof of a want of durability in the materials afforded by the quarry. For if the stone is liable decay in its native bed, it will be very apt to crumble when laid up in walls, subjected in many cases to heavy pressure and to a much greater degree of exposure to the destroying elements of the air, rain, frost, &c. The remark is often made by quarrymen that stone becomes more hard, firm, and durable, as they go further and further from the surface; another proof that that it is not of a kind suitable for permanent buildings. But after the closest examination, no indications of this kind could be detected in the Portland granite quarries. The rock appears to be as hard and firm at and near the exposed surface as in the interior of the mass. Even the discoloration produced by the growth of moss and lichens upon the surface does not penetrate the stone beyond the depth of a quarter of an inch.

While examining the prominent, naked ridge of rock, at this very interesting locality, in July last, I discovered that it retained the marks of diluvial action; that is, it had been in some places smoothed and scored, or grooved by the passage of large and heavy bodies of earth with gravel and boulders over it at the time of the flood; or in other words, when this continent was submerged beneath the waters of the ocean. So far as could be ascertained, this rock appears to have been exposed to the free action of the elements from that time to the present, without losing these marks, by the decay of its surface. You will readily believe that this embraces a very protracted period of time, and yet, to all present indications, the rock would endure for another period of equal length; for no indications of decay could be detected upon the closest scrutiny that could, during a hasty examination, be given it for this express purpose. You will also be satisfied that a rock thus able to withstand the disintegrating and destroying effects of atmospheric agencies for so long a time, is sufficiently durable for any purposes for which it may be applied by man.

The light grey color of this granite is very appropriate for buildings—being an agreeable medium between the glare of a dead white, and the too sombre hues of a darker color. It exists in mass in the quarries, and not stratified like most of the other rocks of the west; so that it may be quarried of any desired size and shape. This kind of rock may be split by means of iron wedges set in rows and driven simultaneously into any required form, and there again subdivided so as to reduce them to a small size. Blocks are often in this way quarried twenty feet, and even fifty or sixty feet in length. When afforded at a cheap rate, they are applied to many purposes other than those of building houses, monuments, and public works. They are in many places used extensively as fence-posts; and even (at least in one instance) as a sign-post for a hotel.

It is well known that no quarries of granite have been opened or discovered in the vicinity of the Great Lakes, or in the Mississippi Valley. Engineers and architects are hence compelled to make use of materials known to be deficient in point of durability, and consequently many public works and private buildings have already been rebuilt at great cost and loss of time. We may hence suppose that as soon as the good qualities of this stone become extensively known, orders will be received for it from New Orleans, St. Louis, Cincinnati, Chicago, Detroit, Buffalo, and a hundred other places, for the purposes of public and private buildings.

The point recommended is a central one, and one that can be approached with facility on the main traveled roads of the State. A plank road has been already commenced, which will connect this point with the Lake navigation at Milwaukee, and also with Madison, the capital of the State. The proposed rail road along the valley of Rock river will connect it both with Chicago and Galena within a very short period of time; probably before the ponitentiary could be completed and brought into successful operation.

There can be no doubt but that many of the better class of buildings in our cities and principal villages will ere long be constructed of this material, whether it is wrought out by convict labor or by private enterprize.

Another advantage should not be omitted in this enumeration. It results from facts of great interest to the geologist, as well as of great importance economically. This ledge appears to be an isolated mass of primary rock, surrounded immediately by limestones of the older formations, which seem not to have been disturbed by it—thus indicating that it was formed and assumed its present position before the deposition of these very ancient limestones. This limestone always produces by its decomposition a rich and productive soil. We hence find the country in the vicinity of these quarries yielding an abundance of all those supplies necessary to sustain the penitentiary. It is not a barren and rocky region as is usually found in the vicinity of primary rocks. The counties of Dodge, Columbia, Jefferson and Dane—all rich counties—corner near this place.

Quarrying and dressing this stone, preparatory to its transportation to a market, would be a suitable and appropriate occupation for the convicts—being neither complicated or difficult. It would not subject our penitentiary to the objection urged against similar institutions elsewhere, by those engaged in the various branches of mechanical trades on account of excessive and unnatural competition with their business. The great hardness of the stone will make the working of it quite undesirable for ordinary stone cutters and quarrymen, who would usually prefer working something that would yield more easily to the chisel.

The work of constructing the penitentiary may be commenced without delay. The convicts, under suitable guards should be brought from the several county jails—where they are an expensive burden upon the public—and set at work immediately, to construct the proper buildings.

That this is no impracticable scheme, is evinced by the history of the Sing Sing penitentiary in the state of New York. That prison was erected on grounds containing great quantities of marble which it was proposed to prepare for the use of the architect. The building was constructed by the convicts taken from the prison at Auburn, before there was even a shantee to drotect them from the weather. The recently erected prison in Clinton county in that State was constructed in a similar manner, with a view of working the iron mines found there, and of manufacturing iron.

When the penitentiary has been completed in the manner proposed, and if it should then be found that the demand for the stone is not yet as great as it is now believed it will be, the convicts may be very profitably employed in furnishing materials for the erection of the University which it is proposed to build at or near Madison.

In regard to the general plan and arrangement of similar prisons, the following extract in relation to those of the state of New York may be interesting:

"The cells rise in tiers above each other to the height of five stories. These central structures are surrounded with an outer shell or envelope of a second wall, about eleven or twelve feet distant from the interior. Along the front of each range of cells runs a gallery. The size of the cells is seven feet deep by three and a half feet in width, and seven in height; all of stone with iron doors of an open diamond grating from top to bottom for the combined objects of security, ventilation, and light. To these buildings are attached spacious workshops surrounding the large court-yards of the prisons in which different branches of mechanical industry are pursued with the aid of machinery in some instances on a very large scale—the whole being enclosed in high outer walls, vigilantly guarded by armed sentries. The convicts wear a peculiar striped prison uniform of coarse woolen fabric manufactured within the prisons. Their movements to and fro at the regular hours in the daily routine of the life of the prisons are all made in single file, with the lock-step, and with the heads turned in one direction, facing the constant eye of the keeper of each respective division, for the prevention of intercommunication. A scrupulous cleanliness reigns thro'out every nook and corner of the establishment. The health of the prisoners is good—the average of deaths being about two per cent. per annum. Each prison is provided with a chaplain, whose whole time is devoted to this interesting, though arduous pastoral charge, and under whose direction they receive instruction on the Sabbath in the the Sunday schools. The cells have always been supplied with bibles; and recently other books have been added, suitably selected for instruction and moral improvement. For many years the establishments have not only defrayed the cost of their own maintenance, but have continued to earn annually a large excess to the benefit of the general revenue of the State."

But no decisive step should be taken in regard to this important matter, until a commission has been appointed to collect all the necessary information by visiting the most approved prisons, and thus enabling us to profit by the experience of others. It would reflect but little credit upon our young state to found an institution of this nature upon principles that have been abandoned years ago in other States.

Very respectfully yours,

I. A. LAPHAM.

COMMUNICATION

FROM HIRAM BARBER, ON THE SUBJECT OF A STATE PENITENTIARY.

FAIRFIELD, DODGE COUNTY,
December, 18th, 1848.

DEAR SIR:—Your letter of the 22d August last, asking my opinion as to the most suitable location for a State Penitentiary, and other matters connected therewith, was duly received.

I have delayed answering it until I could obtain some definite information in relation to the success or otherwise of the experiment now being tried in New York, at their Clinton State Prison, in the manufacture of iron by convict labor.

In the annual report of the agent of the Clinton State Prison to the legislature of the State of New York, in January, 1846, he says, "Although the project of employing convicts in its (the iron) manufacture has from its first suggestion been assailed by various and repeated predictions of failure, every step in its progress thus far has been attended with success; and many of the ill-omened predictions have already proved to be utterly without foundation, nor are any reasons discovered for apprehending the fulfilment of any one of them. On the contrary, confidence in its success appears to correspond with an understanding of the subject, and the enterprise seems to make a friend with every new acquaintance."

In a letter which I received from the agent accompanying the report from which the above extract is made, dated November 15th, 1848, he says, 'In regard to the practicability of employing convicts in the iron business, there seems no room for a rational doubt; indeed, it is said to have been done for more than a century by both Russia and Germany. I found I could learn a convict a trade in less than half the time required by a citizen, as the convict's mind is not diverted from his business, and the majority of them are very anxious to learn trades."

With this testimony in favor of the experiment in New York, I unhesitatingly say that I think the town of Hubbard, in this county, affords the most suitable location for a State Prison in the State, to be connected with the manufacture of iron by the convicts. There has recently been discovered in that town what is considered an inexhaustible bed of iron ore, of the first quality, yielding on an analysis from fifty-seven to sixty per cent of iron, situated in town 11 north, of Range 16 east, and about five miles east of Rock river, and about thirty-five miles west of Lake Michigan. Surrounded also by a densely wooded country, affording an abundant supply of charcoal for an indefinite period of time. At the village of Horicon, in the town of Hubbard, situated at the outlet of the Winnebago marsh, and about five miles west of the ore bed, a dam is erected across Rock river, raising the water about six feet, overflowing a surface, it is said, of between fifty and sixty square miles. This pond, or rather lake, affords an abundant supply of water during the driest seasons, and is as yet but partially occupied, and should it be deemed advantageous to make use of water power in the manufacture of iron, there is no doubt all the land and water power required for that purpose might be obtained at reasonable prices. Horicon is situated on high bluffs, rising gradually from the river to an elevation of from thirty to sixty feet, and is surrounded by as fine a section of country for agricultural purposes as any in the State consisting principally of oak openings and prairie on the west, and heavy timbered openings on the east for about two miles, where it is succeeded by heavy timbered land extending from there to Lake Michigan. The soil where it has been brought under cultivation, yielding wheat, oats, barley, potatoes and Indian corn in great abundance and of the finest quality. There is at Horicon a flouring mill and two saw mills, in operation, and lumber, such as oak, bass, butternut and cherry, could readily be obtained there for all purposes they might be required in building. Pine lumber could be obtained in any qunatity desired at Fond du Lac, a distance of about twenty five miles. Limestone in abundance suitable for the erection of a prison is found in about two miles of there. The heavy timbered land at the east would afford suitable timber for hewing, of almost any desirable length that might be required.

The character of this location has been remarkable for the general health of its inhabitants, but little or no sickness has prevailed there as yet, except the ague and fever, and but few cases of that.

But should it be deemed advisable to follow the example of the State of New York, in the erection of the Clinton State Prison, and to dispense entirely with water power, and to substitute steam, which she has found can be generated by the escape, heat otherwise lost, then the prison might be erected at the ore bed, where limestone suitable for building in great abundance is found in immediate proximity with the ore. Should the location be made at the ore bed, the statement as to soil, productions and health of location at Horicon would equally apply to it.

The location of the prison at the ore bed would have several advantages in its favor. It would be in the more immediate vicinity of the heavy timbered land. making a saving in the transportation of wood or charcoal, also in the transportation of stone for building, and the ore when wanted for use; on the other hand, the sawed lumber would have to be transported some four or five miles unless manafactured on the spot by steam.

But whether the saving thus to be gained is a sufficient object to justify the use of steam power, I am not sufficiently informed on the subject to express a satisfactory opinion. The location of the prison at either of the points designated, could not other than beneficially affect the interests of the people living in its vicinity, as the country is but newly settled, little or no manufacturing of any kind is as yet commenced in this section of the State, and the mass of the people are farmers, whose lands in the timbered portions is covered with a heavy growth of timber, which must be burned up to no use other than to free their land of it, as an incumbrance, whereas if the manufacture of iron is carried on in the vicinity, it at once enhances the value of their timber.

I have thus, (although irregularly,) answered your first, second and fourth propositions contained in your letter, and in answer to the third, "In what branch of mechanical or other industrial pursuit the convicts of a state prison can be employed and be of the most benefit and profit to the State, and at the same time produce the least injury to the industry of the country in any given location?" I would state that I think the manufacture of iron from the ore into the various articles of use, so generally needed by all, and the place of which can be supplied by no substitute, has more advantages in its favor, and fewer objections can be urged against it than any other mechanical or industrial pursuit to which convict labor may be applied.

Although there are two companies now engaged in the erection of works for the manufacture of iron from this bed, yet I am not aware that at this time iron is made from the ore in the whole State, and when it is known that we have in our midst ore enough and of the very best quality to supply all the iron our increasing population would want for ages to come, could it only be wrought into iron fast enough for their use, it must be regarded as highly beneficial to the State to employ the capital she must invest in State prison, together with her convict labor, of the developement of her rich mineral resources and supplying her own citizens with an important staple article of great and increasing use and for which she has heretofore been wholly dependent upon foreign nations and her sister States for a supply.

Can the manufacture of iron be made profitable to the State? The affirmative of this question can be sustained by showing that it can be profitably carried on any where; for the opinion has been repeatedly expressed by men of much practical experience in the iron business in the older States, that this ore bed combined more natural advantages than any other bed they ever saw. And farther, practical business men, iron manufacturers from other States, have commenced operations involving a heavy outlay of capital, preparatory to the manufacture of iron from this bed. Such is the testimony of practical men.

The natural advantages which are apparent to every one are,

First, The quality of the ore; it being much richer than a great majority of the beds known to be worked.

Second, The ease with which it can be obtained for working, —it lying in a high ridge, but slightly covered with earth, and as easily shoveled as any ordinary gravel bank, scarcely needing a bar or pick.

Third, situated in the midst of densely wooded country, where charcoal can be obtained for a long period of time, at prices a little more than to pay the labor of making. And

Fourth, Situated in the midst of one of the most productive soils in the world, where labor can be supported as cheap as in any portion of the United States, and within less than forty miles of Lake Michigan, from whence it can be transported at a trifling expense to a ready market. And another, and important advantage in favor of the iron business, is, it has been found, essential to the profitable employment of convict labor, that the labor bestowed should constitute the chief value of the manufactured article. Hence, the State of Vermont has found that the shoe business carried on at her State Prison was ruinous; the manufactured article frequently bringing less than the cost of the stock, and she is about removing her State Prison to a marble quarry. Whereas the cost of the ore and coal, or wood of which to make, would in this case constitute but a small item in the value of a ton of iron, for under the improved method of making charcoal in kilns, it could all be carried on within the prison yard by the convicts, so that the whole cost of labor of making iron beyond what could be performed by convicts, would be the delivery of the wood, and the ore in the yard.

But whilst it will not be contended, that the State, who must conduct all her institutions by her hired agents, can as successfully carry on any branch of industry as individual enterprize, whose vigilance is stimulated by self interest; yet there are higher and nobler considerations than mere interest to the State, that should urge her to embark in this enterprize. She owes it to herself, to the cause of humanity, and the enlightened spirit of the age, that her justice should be tempered with mercy.—That whilst she visits the transgressor of her laws with certain and condign punishment, she should so treat him whilst under her control, that when he has served out his time and is restored to society again, he should be a better man and better fitted to act the part of a good citizen.

Intimately connected with this object is the employment of her convicts in such a way as shall be the most conducive to their general health, and moral improvement. The various branches of labor in manufacturing iron and preparing the charcoal can all be done by convict labor which will necessarily give constant exercise in the open air, so very beneficial to the health of the convict, that it the more readily reconciles the mind to the restraints necessarily imposed, and prepares it for those moral impressions so essential to the reform of the convict, and to the peace and good order of society to whom he may be again restored.

Should it be objected that the employment of convicts in the iron manufacture would injuriously affect a large class of our citizens already engaged in that business, by bringing the convict labor in competition with that of the honest mechanic, and compelling him to work side by side with the discharged convict, or be compelled to abandon a trade he had spent years of honest industry to acquire, and on the successful prosecution of which he is dependent for a living. The objection would find a ready answer in the fact, that most probable for a long series of years all convict labor of the State could be profitably employed in the manufacture of iron from the ore, thus furnishing the mechanic himself with the raw material used in his own operations. It is highly important that in a measure of so much moment, the State should start aright. She should avail herself of the wisdom and experience of the older States; and where they have erred in their institutions she should profit by their example.

With a more enlightened and better understanding of the human mind, the law of kindness is made to take the place of that of vengeance in our criminal code. Indeed there is no feature that more distinctly marks the progress of any nation from barbarism to civilization, than the modification and amelioration of her criminal code—and such has been the advance of many of the States of our Union, in the management of their State Prisons, and their system of prison discipline, that it has excited the attention of many of the older States of Europe, who have instituted commissions to investigate our systems with a view of their adoption. The solitary labor system of Pennsylvania, whilst it makes the criminal feel the weight of his punishment during the long solitary years of his confinement, leaves him to brood over his desolation, and to regard himself as cut off from society and the world, and unfitted for its social relations, and when discharged he acts upon those impressions; hence we find so many of their discharged convicts are soon returned.

The State of New York it is believed has been more fortunate in her adoption of a system of prison discipline at her Clinton Prison. Although compelled in the first place to try the experiment of making iron by her convict labor, by the demands of her mechanics to be relieved from the ruinous competition and demoralizing influence of her mechanical trades, as carried on at other prisons. She has been forced from the necessity of the case, to adopt what is termed the social system of prison discipline, and we have the testimony of all connected with that institution, of the happy influences it has upon the character and conduct of the convicts there confined. In the report before referred to, the agent who had charge of the convicts in the erection of the prison says:

"The attention paid to their little wants with frequent kind admonitions intended to cultivate obediance to the laws, to awaken their dormant benevolent propensities, encourage their self respect, and impress upon them the truth that our laws know not revenge, but inflicted their punishment for the necessary protection of society, and in the hope of their thorough reformation, all united to produce the most desirable effect on the minds of the convict, and greatly reduce the difficulties of keeping them in such an exposed situation. Their industry was excellent, often exceeding that of hired workmen, while their moral improvement from week to week was so evident to all that it was soon thought safe to cut off their shackles and chains from their ancles having them incumbered through the day, but still securing them to the floor in the night by means of a chain and padlock. As no bad consequences followed this experiment, and the moral sense of the convicts seemed to be still progressing, it was finally deemed advisable to dispense with the irons altogether, even through the night. This was also done, and thus unchained, one hundred and eighty-nine convicts slept in two rooms on the floor of a board prison, without locks to its doors and with only four guards on duty at a time. After a while however, some half dozen of the convicts who were of the most abandoned robbers and burglars, commenced plotting an escape, by rising upon the guard in the night. But as soon as they made proposals to others to join them, the whole project was immediately and repeatedly disclosed to the officers.

So indignant were the great mass of the convicts at this ungrateful return for the humanity with which they were treated, that no doubt was entertained by the officers but that the attempt, if made, would have been almost instantly suppressed by their associates in confinement, and that they would have punished the offenders far more severely than would the officers and guards.

Permit me, in conclusion, to say, that I do not know but my remarks are extended beyond the range indicated by your inquiry, but they seemed to be pertinent to the general subject, and with that view they are presented.

I am, sir, your most obedient servant,

HIRAM BARBER.

His excellency Nelson Dewey.

COMMUNICATION

FROM HENRY MERRELL, ON THE SUBJECT OF A STATE PENITENTIARY.

FORT WINNEBAGO, Dec. 25, 1848.

GOV. NELSON DEWEY:

Your circular directed to me on the subject of a State Penitentiary, was duly received, and I now proceed to answer the several inquiries, so far as my knowledge extends; and in the first place I would state that if congress will grant to the State the military reserve at Fort Winnebago, for which it appears the United States have no further use, it will be by far the best location for the said institution within my knowledge, for several reasons, viz: Its central position within the bounds of the State; its healthy position—there not being a more healthy point in the western country, as proved by the army who have been stationed there for the last twenty years; it being surrounded by a rich farming country, which is being daily improved. Its being near the Wisconsin river, where pine or hard lumber may be obtained in any quantity—having lime in its immediate neighborhood, and any quantity of good building stone upon the reserve. Its facilities of water communication with thee great lakes and the Mississippi river, as soon as the improvements of the Fox and Wisconsin rivers are completed, which have been commenced by the State, (which can be finished in two years, in the opinion of all who are informed on the subject. And finally, the advantage to the State of having buildings already prepared, which are so well calculated for the purpose—they being sufficient, in my opinion, for many years to come, with a small expense in enclosing the whole with a stone wall. The buildings of the fort are built in a square, with a parade ground or court in the centre, 150 feet square. On one side there are two buildings 75 by 20 feet; on the opposite side, two of 45 by 35 feet, and one 40 by 32; on the other two sides are two blocks of 90 by 20 feet, all with substantial stone basements; and wood work above in a good state of preservation. Independent of these, there is, outside, a hospital, 100 feet long by 20, with two wings, a surgeon's quarters well calculated for a family, a large store house, two stone magazines, two block houses, and arsenal 26 by 35 feet, and several other buildings, such as barns, shops, &c. The buildings are all substantially built and well finished. In the reserve there is now six sections of land, most of it good for cultivation, a part of which might be sold and thus funds raised to perfect the works.

In regard to mines, there are none in the vicinity.

In reference to the employment of convicts, I would say that there are many mechanical branches in which they might be engaged usefully and profitably to the State, without as much injury to mechanics as in the older States, on account of the scarcity of mechanics here, and on account of most of those that are here turning their attention to agriculture instead of following their trades.

It is believed that if an effort is made by the State, that congress will give the reserve for that purpose, as it has been stated that it will not be occupied by the United States again.

I am, sir, very respectfully,

Your obedient servant,

HENRY MERRELL.

COMMUNICATION

FROM R. G. CAMP, ON THE SUBJECT OF A STATE PENITENTIARY.

ADAMS, SAUK COUNTY,
December 11, 1848.

SIR: In answer to the various inquiries propounded by yourself, in a circular forwarded to this place, relative to the location of a State Penitentiary, I will, in the absence of Mr. Pratt, to whom the circular was addressed, give you the following answer:

1st: With regard to facilities for procuring good stone, lumber, &c., within three-fourths of a mile of this village there is an inexhaustible quarry of fine sand stone, which is readily worked to any desirable form or size, and which proves to be excellent stone for building purposes. There are also other quarries in the vicinity equally good. Pine lumber and the various kinds of hard lumber may be obtained at the mills in this village in abundance at $8 per thousand feet.

2d: As to location, I would say, there are a number of good sites for such an institution within a short distance of this place, on the east bank of the Baraboo river. The proper location, in my opinion, would be from one fourth to a half mile easterly of the court house in this village. This location would be within a few rods of a saw mill, the stone quarry, and an excellent bed of clay, where brick might be cheaply made. At this point, also, a good water privilege might be secured to the institution, should it be thought desirable.

3d: As to health, soil, &c., there is not probably a more salubrious and healthy location in the world than this. The water is good, the surrounding country is undulating, with a soil of the richest and most productive kind. A fall of about fifty feet in the Baraboo river, within the space of about one mile, furnishes a vast amount of water power at numerous points within the mile. I think it reasonable to say that when the contemplated improvement of Fox river shall have taken place, the commercial and manufacturing advantages of this part of the country will be second to none in the State. That such improvement is perfectly feasible, there cannot be a doubt; nor is there a doubt that the Baraboo river, with a trifling expense, may be navigated from the Wisconsin to the proposed site of the penitentiary. In addition to this, it is not visionary, I think, to say that the time is not far distant when a rail road, running north and south through the central part of this State, will intersect the canal from the Wisconsin to Fox river—thus opening a communication east and west by means of those rivers.

4th: As to the productions, &c., wheat, corn, oats, and the various kinds of vegetables are raised in profusion. Copper and iron ores are said, by those who have made examination to abound in this vicinity.

2d: As to what branch of industrial pursuit. For years to come I cannot conceive that convict labor can come in competition with the industry of the country, let their manufactures be what they may. There is a general destitution of mechanics in this part of the country, and the people are, and must be for a long time, dependant on the east for most manufactured articles.

3d: With regard to the most favorable location, having visited most of the states, and many of the state penitentiaries and other prisons, I can say without hesitation that I have never seen a location, taking into consideration its central position, the profusion and cheapness of building materials, (such as bricks, lime stones, timber and lumber,) and the pleasantness and undoubted healthiness of the place that would in my mind at all compare with the one here recommended.

Respectfully yours,

R. G. CAMP.

COMMUNICATION

FROM H. ALLEN, ON THE SUBJECT OF A STATE PENITENTIARY.

Port Washington, Sept. 30, 1848.

His excellency, Nelson Dewey,
Governor of Wisconsin:

In reply to a circular from the executive office, touching the advantages, &c., of this section of the State, for a location for a State Penitentiary, I have to say that by information of others as well as my own observation, I am of opinion that there are two good locations in this vicinity, one in this county and the other in Dodge county. In the western part of this county, in the town of Hartford, there exists a good iron mine in which the convicts could be employed without detriment to mechanical pursuits.

In the town of Rubicon, in Dodge county, there also exists an iron mine of still better quality, so far as examinations have been made, than in our own county. At both these places good material is to be found for the penitentiary buildings; and from both points, markets for the products of the prison are convenient. From Rubicon a plank or charcoal road is already in progress of construction to the nearest lake port town, and from Hartford it would be an easy task to reach a market. The distance from these two localities to the lake is about the same—about thirty miles.

Should the State deem it best to select as a site for the penitentiary a mining country, I know of no better localities than one of those I have mentioned.

Very respectfully,
Your obedient servant,
H. ALLEN.

WASHINGTON, November 20, 1848.

To his excellency NELSON DEWEY,
Governor of the State of Wisconsin:

SIR: I have the honor to transmit to you a copy of the Report on the subject of International Exchanges which I have presented to those States, whose agent I have been appointed. I beg your favorable consideration of the subject of which it treats, and that you will invite to it the attention of the Legislature of your State. It is my intention, before leaving America, to visit every State that has not co-operated in the plan; but if I should not be able to accomplish this purpose, I hope that the intrinsic merits of the system will commend it to the support of the whole American Confederacy.

I have the honor to be, sir,
With the highest respect,
Your excellency's
Very humble and ob't serv't,
ALEXANDRE VATTEMARE.

REPORT

ON THE SUBJECT OF INTERNATIONAL EXCHANGES,

BY ALEXANDRE VATTEMARE.

WASHINGTON CITY, Nov. 20, 1848.

To his excellency the Governor of Virginia:

SIR: I have the honor to submit my first report as the agent for International Exchange for the state of Virginia.

In this Report will be considered—

First: The action of the Federal Government of the United States in relation to Exchanges.

Second: The action of the State Legislatures upon the same subject.

Third: A development of the plan, showing the mode in which the operations of Exchange are to be conducted; its expenses; the sources upon which it relies for revenue; the advantages to trade to be expected from its full realization; and lastly, the moral bearing of the subject.

These subjects will be treated as briefly as their clear exposition will permit; and I earnestly invoke them, in advance, your candid and favorable consideration.

I. Upon my first visit to America, in the year 1840, I submitted to the Congress of the United States a memorial, laying before that honorable body the outline of my system of International Exchange, and praying that its consideration might be referred to an appropriate committee, in order that such measures might be taken for its establishment as the committee, in its wisdom, should deem expedient. This memorial was presented on the 5th of February, 1840. It was referred to the joint committee on the Library, which brought in a favorable report, and the following resolutions, which were unanimously adopted by both houses:

"1. *Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Librarian, under the superintendence of the committee on the Library, be [authorized] to exchange such duplicates as may be in the library for other books or works.

"2. That he [be authorized] in the same way to exchange documents.

"3. That hereafter fifty additional copies of each volume of documents, printed by order of either house, be printed and bound for the purpose of exchange in foreign countries."

Encouraged by this liberal action on the part of Congress, I returned to France, in the expectation that the most flattering tokens of the appreciation by the American nation of the kindly feelings of the French would follow me, and afford substantial aid in my new labors consolidating my system on the other side of the Atlantic. But owing to the employment of the word "authorized," instead of "directed" in the resolutions, nothing was accomplished, and after an absence of eight years, which were devoted to the collection of objects of exchange in Europe, to be distributed in America, I returned to the United States to secure, on a broader and more permanent basis, the establishment of my system.

I either transmitted, during my absence, or brought with me on my return, a vast collection of legislative documents, scientific works, objects of art, &c., all of which were presented as tokens of esteem, good will, and brotherly feeling, by the French Executive, the Chambers of Peers and Deputies, by their excellencies the Ministers of Justice, War, Navy, Interior, Commerce and Agriculture, Public Instruction, Finances, and Public Works; by the City Council of the city of Paris; by the Academy of Sciences; the Academy of Moral and Political Sciences, and by the Museum of Natural History, as well as by the most distinguished statesmen, authors, artists, mechanicians, and private individuals of France, to the Congress; the Supreme court of the United States; to the Departments of War, Navy, and Treasury; and to the states of Maine, Massachusetts, Vermont, Rhode Island, Connecticut, New Jersey, Pennsylvania, Maryland, Virginia, South Carolina, Georgia, Ohio, Louisiana, Indiana, Michigan, Kentucky, and Texas; also to the United States Military Academy at West Point; to the cities of New York, Boston, Philadelphia, and Baltimore; and to the Universities of Cambridge, Brown's, Brunswick, and Waterville; to the Colleges of Burlington, &c.; and finally, to the National Institute of the United States.

Bearing with me, thus, these rich fruits of the intellectual labors of the best minds of the old world, so valuable to the new, and so substantial an evidence of the willingness of the Government and people of my own country to enter into an intellectual union with their brethren of America, I entertained the most sanguine expectations of success in the great undertaking to which I have devoted myself; and allow me to say, in advance, that those expectations have not been disappointed. The enlightened liberality of the statesmen and people of America, has recognized at once the great value of the plan, and has prompted a generous and hearty reciprocation.

On the 9th of February, 1848, I laid before Congress a second memorial, giving an account of the success of my labors during my absence; presenting the proofs of the favorable disposition of the Governments and leading minds of Europe towards the plan, assigning the reasons why their own resolutions, passed eight years before, had not been carried into effect; and praying—

"1st. That the law securing patent-rights and copy-rights may be so amended as to require all authors or publishers taking out copy-rights for works to be printed, to place in the depot of the central agency at New York, subject to the order of Government, copies of such work, in addition to the two copies now required to be deposited in the Library of Congress.

"2d. The enactment of a law, (accompanied by all necessary guards for the prevention of fraud,) admitting duty free all works and other objects addressed by Governments abroad, through the general depot of exchange in Paris to the branch depot in New York, exclusively for the purpose of International Exchange.

"3d. That the resolutions heretofore passed by both Houses of Congress, in July, 1840, in the words following, (and which have hitherto remained a dead letter on the statute book,) be carried into full effect, viz:

"1. *Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Librarian under the superintendence of the committee on the Library, be [authorized] to exchange such duplicates as may be in the library for other books or works.

"2. That he [be authorized] in the same way to exchange documents.

"3. That hereafter fifty additional copies of each volume of documents, printed by order of either house, be printed and bound for the purpose of exchange in foreign countries."

"To effect this, it will be requisite to repass a similar resolution, substituting the words, 'and is hereby directed and required,' for the word 'authorized,' and also, by assigning a place of deposit for, or otherwise disposing of, the fifty copies ordered to be furnished for exchange.

"4th. That the above regulations be understood as applying exclusively to works of a scientific character, and promotive of intellectual improvement; works of a different description being allowed to seek the usual channels opened by those engaged in the book trade.

"5. That duplicates of the objects of curiosity and scientific interest, brought home by the late Exploring Expedition, (so honorable to the intelligence and liberality of your Government and country,) be directed to be assigned, by those having official control of the objects so collected, for the purpose of being exchanged, on authorized demand for them, for objects of a similar kind furnished by European Governments or learned bodies."

On the 4th of May, 1848, the Hon. Mr. Murphy, from the joint committee on the Library of Congress, brought in a report highly favorable to the petition of the memorial, and which closes with the following recommendation:

"In view of the memorialist generally, the committee are happy to concur. After the success which has thus far crowned his unwearied and voluntary labors, they think his expectations of aid from us have been justly formed, and should be promptly satisfied. They therefore recommend that the committee be authorized to establish such agencies, and organize such a plan of donation and exchange as they may deem best for this purpose; that all books sent to the federal or state governments, to any departments, or libraries of either, to the academy at West Point, or to the National Institute, be admitted duty free; and that the sum of two thousand dollars be appropriated to enable the committee to carry the measure into effect."

A bill in harmony with these recommendations was reported, and on the 26th of June became a law:

"AN ACT to regulate the exchange of certain documents and other publications of Congress.

"*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the joint committee on the Library shall appoint such agents as they may, from time to time, deem requisite, to carry into effect the donation and exchange of such documents and other publications as have been or shall be placed at their disposal for the purpose.

"Sec. 2. *And be it further enacted,* That all books transmitted through such agents for the use of the Government of the United States, or of any government of a State, or of its Legislature, or of any department of the Government of the United States, or of a State, or of the academy at West Point, or of the National Institute, shall be admitted into the United States *duty free.*

"Sec. 3. *And be it further enacted,* That the sum of two thousand dollars is hereby appropriated, out of any money in the treasury not otherwise appropriated, and the same is put at the disposal of the library committee, for the purpose of carrying into effect such donation and exchange, and paying the expenses already incurred in relation thereto.

"Approved, June 26, 1848."

In accordance with the first provision of this act, I was appointed the agent of the United States for International Exchange by the following resolutions:

"JOINT LIBRARY COMMITTEE OF CONGRESS,
"*July* 25, 1848.

"*Resolved,* That Alexandre Vattemare be appointed agent to the joint committee on the Library to carry into effect the donation and exchange of such books and other publications as or shall be placed at the disposal of the committee for this purpose, under the act 'to regulate' the exchange of certain documents and other publications of Congress;' said agent to be, in all respects, subject to the directions of the committee.

" *Resolved,* That said Vattemare's agency shall extend only to exchanges between the United States and foreign countries or governments, and not to domestic exchanges.

" *Resolved,* That the chairman draw from the treasury, and place in the hands of the said Alexandre Vattemare, fifteen hundred dollars, part of the sum appropriated by the said act, to be applied to his personal expenses already incurred, and to be incurred during the year ending 30th June, 1849, and to defraying the expenses of clerk hire, freight, rent of rooms, and other necessary expenditures of his agency; and that said agent shall annually account to and with the committee concerning the expenditure of said sum.

" *Resolved,* That said Vattemare be furnished, for the purposes of exchange, with the following works:"

[Here follows a list of the works presented.].

One of the most important features of the law above quoted, is that which provides for the reception of all objects of exchange duty free. The heavy duties hitherto imposed have formed an important drawback upon the operations of exchange. To carry out this provision, and to prevent its being made the occasion of frauds upon the revenue, the Secretary of the Treasury has issued the following circular:

" *Circular of instructions to collectors and other officers of the customs.*

"Treasury Department,
"*August* 14, 1848

"Congress having, by the act entitled 'An act to regulate the exchanges of certain documents and other publications of Congress,' approved 26th June, 1848, adopted the system of international exchanges, thereby manifesting a due appreciation of its importance and value, the duty devolves upon the department to aid in carrying out the intentions of Congress, by the establishment of such needful regulations as will, whilst facilitating this great enterprise, protect the system itself from abuse, as well as the revenue from any attempted frauds and impositions.

"It will be perceived that this act exempts from duty all books transmitted through the agents appointed by the joint committee on the Library, 'for the use of the Government of the United States, or of any government of a State, or of its Legislature, or of any department of the Government of the United States, or of a State, or of the academy at West Point, or of the National Institute.'

"The joint library committee of Congress, under date of the 25th July, 1848, in pursuance of the authority vested in them by the beforementioned act, adopted, amongst others, the following resolutions, viz:

"*Resolved,* That Alexandre Vattemare be appointed agent to the joint committee on the Library to carry into effect the donation and exchange of such books and other publications as are or shall be placed at the disposal of the committee for this purpose, under the act to regulate the exchange of certain documents and other publications of Congress; said agent to be, in all respects, subject to the direction of the committee.

"*Resolved,* That the said Vattemare's agency shall extend only to exchanges between the United States and foreign countries and governments, and not to domestic exchanges."

By the foregoing resolutions it will be perceived that the agency to conduct these exchanges has been conferred upon Mr. Alexandre Vattemare, the author of the system, to whose talents, zeal, and indefatigable exertions, the civilized world is indebted for the conception and consummation of the system, destined, it is confidently believed, to realize all the benefits anticipated by its distinguished author and promoter.

"According to the suggestion of Mr. Vattemare, the central agency of this enterprise will be established at Paris, with subordinate agencies in the capitals of other States or countries uniting in the system. To prevent fraud and imposition, all documents and other publications transmitted to the United States must bear the stamp of the central agency at Paris, to be impressed, in the case of books or pamphlets, on the *first* and *last* pages of the text of each volume; in the case of charts, maps, prints, &c., the stamp to be on some convenient place on the face thereof. The boxes or packages will be addressed to the care of the collector of the customs of the port in the United States to which they may be shipped, accompanied by a letter of advice and a descriptive list. On their arrival the collector is enjoined to take careful charge of the same, notifying the department of their receipt, and await instructions for their disposal.

"R. J. WALKER,
"Secretary of the Treasury."

In addition to the law above given, which recognizes the system, and provides for its support, Congress passed a number of joint resolutions, which are given below, setting apart for purposes of exchange a large number of important works:

Acts and resolutions of Congress in relation to international exchanges.

IN SENATE OF THE UNITED STATES,
April 27, 1848.

Resolved, That the Secretary of the Senate be authorized and directed to purchase one hundred copies of Hickey's edition of the Constitution of the United States, and to deliver the same in the name of the Senate of the United States, to Mr.

Alexandre Vattemare, of Paris, to be distributed by him in France according to his system of national exchange of books.

Attest: ASBURY DICKENS,
Secretary.

RESOLUTION authorizing the presentation to the government of France of a series of the standard weights and measures of the United States, and for other purposes

Resolved by the Senate aud House of Representatives of the United States of America in Congress assembled, That the Secretary af State be directed to furnish to Alexandre Vattemare one complete series of the standard weights and measures of the United States, now in the Department of State, to be presented to the government of France, and that he furnish to the joint committee on the library twenty-five copies of Little & Brown's edition of the laws of the United States, to be disposed of by them for purposes of international exchange.

Sec. 2. *And be it further resolved,* That seven copies of the Exploring Expedition now published, and an equal number of such of the works of the same as may hereafter be published, be placed at the disposal of the joint library committee of Congress, for the purpose of international exchange.

Approved, June 30, 1848.

The large amount of correspondence necessary to the proper conduct of the system renders the postage a tax of considerable weight. The Senate, in order to give every facility to its operations, passed the resolution which follows, granting the privilege of free transmission to all letters and papers relating to exchange. This resolution was lost in the house, in the last hours of the session, by a few votes:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Alexandre Vattemare, agent of the United States for international exchanges, be, and he is hereby authorized to frank letters or packages containing books, public documents, maps, specimens of the arts, or medals, sent to him from any foreign country to the United States, or from the United States to any foreign country; and also to receive letters and packages appertaining to international exchanges free of postage—this privilege to extend to the mail lines of the United States to foreign countries; Provided, &c. &c.

It is hoped that the importance of this measure will be so apparent upon the farther operation of the system, as to secure its adoption by a future Congress.

An arrangement has been made with the Secretary of the Senate and the Clerk of the House of Representatives, as well as with the various Departments of the Federal Government, by which a regular interchange of all official documents published by them shall be made, as fast as these documents are issued, for documents of the French Government. These documents will be transmitted by each steamer, and thus each of the two governments will be put in immediate possession of all the public proceedings of the other; a measure which cannot fail to produce the happiest results upon the legislation of both. In his letter complying with my request that this arrangement might be made with regard to the proceedings of the Senate, the Secretary, the Hon. Asbury Dickens, makes the following remarks:

"The judgment of the civilized world has sanctioned your scheme of international exchanges. Of that comprehensive work one of the most important branches is the prompt communication, among enlightened nations, of the proceedings of their several legislatures, and the documents connected with them. Each is thus enabled to profit early by the wisdom and experience of all.

"Between the two great republics of the Old and the New World, more especially, should this mutual aid be active and complete. The measure in which you ask my co-operation is well calculated to make it so."

Liberal as has thus been the spirit in which the Federal Congress has received and acted upon the proposals for the establishment of an intellectual union between the old and new worlds, the various departments of the Government were in no respect behind them. All seemed to share in a generous rivalry of good feeling and substantial encouragement for the cause of universal peace. The following brief summary will give some idea of the action taken by the various departments of the General Government, in relation to the system of exchanges:

The Department of State has contibuted a collection of valuable books, among which may be mentioned a complete collection of Niles' Register, and an immense number of volumes of the local laws of the various States of the Union, &c., &c.

The Department of the Treasury has added largely to the material of exchange by contributions of books, documents, circulars, &c., &c. Among these may be more particularly noticed complete collections of the documents on the Commerce and Navigation of the United States, many hundred circulars. collections of Tariff laws, and, in short, every thing relating to the business of the Department. In addition to these valuable contributions of books, the Secretary of the Treasury has rendered immense service to the system by the liberal manner in which he has interpreted and acted upon the law of Congress, in the circular which has been already quoted. Besides this circular, which will so greatly facilitate the business transactions of the system, he has issued a second one, scarcely less important as a measure of convenience and economy; for the storage and forwarding of so great a number of large and heavy cases as must be constantly circulating in the channels of exchange, must form an item in the expenses of the system of no inconsiderable importance.

"TREASURY DEPARTMENT, October 23, 1848.

"SIR: Referring you to the circular instructions from this department of the 14th August last, in relation to the system of international exchanges proposed by Mr. Alexandre Vattemare and adopted by the act of Congress 'to regulate the exchange of certain documents and other publications of Congress,' approved the 26th June, 1848, I have now to advise you that the port of New York has been selected as the depot from which the articles in exchange will be transmitted from the United States to France.

"You are accordingly authorized and directed to cause to be carefully kept in the Atlantic dock stores of your port, all such packages of books, &c., as may be sent under the agency of Mr. Vattemare from any part of the United States destined for France, in exchange, until forwarded by Mr. Vattemare to their destination.

"Very respectfully, your obedient servant,

"R. J. WALKER.

"C. W. LAWRENCE, Esq., Collector of Customs, New York,"

The Department of War, (under which is included the Military Academy of West Point,) has given more than 500 volumes of valuable military works.

The Department of the Navy has made presentations of the greatest importance and value. Besides a large collection of books, maps, charts, and drawings, it has added models of the vessels of every class, and of boats, specimens of arms, and a collection of all the varieties of wood employed in the construction of Government vessels.

The Department of the Post Office has presented collections of its reports and circulars, and numerous maps of the post roads of the United States.

The Patent Office has contributed more than 500 volumes of reports and other works, together with drawing and specifications of a large number of the most important inventions patented during the past year, The Office of the Coast Survey has given six complete collections of the maps thus far made under its direction.

The preparation of the weights and measures, voted by Congress, has also been made under the control of this office.

The Observatory has furnished numerous maps and charts, and works on meteorology, astronomy, and navigation.

The National Institute has contributed a collection of scientific works.

The City of Washington has presented a very handsome collection of books, the gifts of the citizens of Washington to the city of Paris. The catalogue of these works is contained in a handsome pamphlet, printed at the expense of the city, and which also gives a full report of the proceedings of a public meeting of the citizens, called by the mayor, for the purpose of expressing the good will of the Federal Metropolis towards her sister city—the intellectual centre of the Old World. The books have been handsomely bound, and inscribed, and form a gift truly worthy of the Capitol of the American Nation.

From the foregoing statement, purposely brief, it will be seen that the system of exchange has been received with the most gratifying unanimity of approval and encouragement by every branch of the Federal Government. It has been testified not only by munificent gifts, but by legal provisions which secure, on a firm and liberal basis, the future operations of Exchange. The States which have, and shall hereafter co-operate in its support may transmit the objects which they wish to exchange to the Custom-House at New York, with the certainty that they will there be safely kept, subject to the order of the Agency; while, at the same time, the returns made from Europe will be received at the same depository, to await an order from their respective destinations. The government has thus virtually constituted one of its own most important functionaries the agent for the safe-keeping and transmission of the material of Exchange.

The effect of this measure upon the regularity and stability of the operations of the system are too obvious to need comment.

The United States Mint, at Philadelphia, has been directed by the Secretary of the Treasury, to furnish a complete series of the coins of the United States, together with copies of all medals ordered by the Government. They are in return for a series of medals illustrative of the history of France, presented by the French Government to that establishment.

The American Colonization Society, though not connected in any way with the Government, may yet with propriety, be mentioned here aa a public establishment, having its business centre at the Federal Metropolis. The following letter from the Secretary of the Society will show the willingness of that Association to co-operate in the establishment of the system of Exchange:

"Colonization Rooms,
"Washington City, September 15, 1848.

"My dear Sir: Being aware of the efforts which you are making to establish a system of National Exchanges, and desiring to contribute something towards so great and noble an object, I prerent herewith, in the name of the American Colonization Society, one set of the African Repository, its monthly publication, and its annual reports, together with a map of Liberia, census, &c., for the Minister of Marine of your country, and another set for the library of the city of Paris. For these publications will be found a complete history of colonization as carried on by this society on the western coast of Africa, which has already resulted in the establishment of the independent republic of Liberia,

"Thus, through your indefatigable efforts, any citizen of Paris or stranger visiting there, can make himself acquainted with the history and prospects of one of the noblest schemes of philanthropy and benevolence which mark the present age.

"The Republic of Liberia would doubtless be glad to participate in the benefits which you are bestowing upon mankind. It is true they as yet have no books; they, however, have two newspapers, which have been regularly published for several years; they have also a volume of their laws published by authority, and from one of their own press. They have also great richness in their animal, vegetable, and mineral kingdoms, and could doubtless furnish, in return for books, many objects of interest to your country.

"As everything connected with Africa, and with the history of colonization in other parts of the world, is interesting and valuable to the members of our Society, any contribution of the kind which you may have in your power to collect for us will be most thankfully received, and you will thus add another to the many reasons which our countrymen have to cherish you in their memories.

"I am, dear sir, your very obedient servant,

"W. McLAIN, A. C. S.

"A. VATTEMARE, Esq., Washington city."

In addition to the works mentioned in the above were many others illustrative of the history of colonization, specimens of the fruits and woods of Liberia, &c., &c.

II. Having thus given a succinct account of all that has been done at the seat of Government for the support and encouragement of the system of Exchange, the next branch of the report stated above, will be a consideration of the action taken by the State Legislatures upon the subject.

MAINE.—During my first visit to America I submitted a memorial to the Legislature of the State of Maine, which was referred by that body to its Joint Committee on the Library, from whose report I beg leave to make the following extracts:

"The committee would recommend the passage of the resolves which are appended to this report. They propose in these to exchange the laws and resolves, and public documents, published by the authority of this State, for a similar return from France and other European governments."

* * * * * * *

"The committee still further recommend, that a sum not exceeding one thousand dollars be appropriated, to be expended in promoting a system of exchange between Maine and the Governments of Europe of the productions of natural history, the works of perfected art and of literature. The rich returns which will be derived by our country, whose institutions of science and literature are yet in their infancy, can hardly be appreciated or overrated."

The resolutions accompanying this report set apart, for the purpose of exchange, fifty copies of all State documents, authorizing the Governor to transmit them to the accredited agents of the system, and place at his disposal a sum of not more than a thousand dollars, "for the collection and exchange of original specimens of natural history and productions of useful art."

Preferring that the system should be established upon a permanent basis, rather than have a brilliant beginning and speedy death I opposed so large an appropriation as the highest limit recommended by the committee, on the ground that it would afford a mark for the advocates of retrenchment, and thus jeopard the future existence of the plan. The Legislature, in accordance with this suggestion, finally determined upon an annual appropriation of three hundred dollars.

In July, 1847, after an absence of six years, I returned to the State of Maine, whose agent I had been appointed upon my first visit to America, and on the 22d of that month the Governor, by a special message, invited the attention of the Legislature to the subject of my mission. The message was referred to the Joint Committee on the Library, which brought in a highly favorable report, and recommended the passage of numerous resolves, from which we select the following:

"*Resolved*, That while the expensive and useful books and documents with which M. Vattemare has been entrusted by various authorities and institutions in France, for the library of this State, should be received with the respect due their intrinsic value and the distinguished sources whence they emanated, they possess much higher interest as tokens of the feelings of good will of the French nation towards America; and that we cordially reciprocate this sentiment, with a grateful remembrance of ancient obligations, and with the hope of a continued and increasing friendship between the two countries.

"*Resolved*, That duplicate copies of various works in the State library (not otherwise required) be tendered M. Vattemare in continuation of the system of international exchanges so auspiciously commenced. The selections to be made under the supervision of the Secretary of State.

"*Resolved*, That one thousand copies of "Instructions on the best mode of collecting, preserving and transporting objects of Natural History," be printed, under the superintendence of the botanic surveyor of the State, and distributed, under his direction, to those societies and individuals within the State that might aid in promoting the designs of said instructions: reserving to M. Vattemare the number of copies of the "Instructions" he may desire, for his own use."

The report of the committee, and all the proceedings of the government of Maine in relation to exchanges, have been printed in an elegant executive document, which reflects the highest credit upon her typographical skill and taste.

The whole action of this State has been in the highest degree honorable to her liberality and appreciation of learning and the arts, and has evinced the most praiseworthy anxiety to place within the reach of her people all the elements of increased cultivation and improvement which the literature, science, and art of the Old World can afford. It is hoped that arrangements will be made for securing the permanence of her appropriation for the support of the system, which will enable the agency to rely with confidence upon it as one of its constant means of support.

VERMONT.—Early in November, 1847, in accordance with a previous notice, I visited Montpelier, to lay before the legislature of Vermont an exposition of the system, and to request their co-operation. The Governor at once communicated the fact to the Legislature by a special message, in which he speaks of the benefits likely to result from the adoption of the system as "of the highest value," and such as "should commend it to the support of every intelligent and high-minded people." An address was delivered before the legislature, explaining the plan, and giving an account of what had been done towards carrying it into operation. The message of the Governor was referred to the Joint Library Committee, which brought in an excellent and eloquent report, from which I beg leave to make the following extracts:

"The splendid specimens of art, and the gorgeous volumes exhibited in the State Library, [the presents of the French nation,] naturally suggests the inquiry, "What can we give in exchange for things like these?" Your committee answer, almost in the words of the memorialist,—all products of American genius, taste, industry or invention—whatever serves to illustrate our history—our public documents and laws—the rich stores of nature herself—our plants, our animals, including quadrupeds, birds, reptiles, fishes and insects—our minerals, specimens of our various kinds of wood, with the description, uses and peculiarities of each—these would, from their very novelty, afford to the scientific men of Europe greater pleasure than the most costly book."

* * * * *

"Several of our sister States have anticipated us in this enterprise, and already enjoy their reward in their public libraries, enriched by the productions of European genius, and in their public halls and galleries adorned with the triumphs of ancient and modern art. What then shall be done by Vermont? Shall this massive and beautiful structure be the depository of treasures within, whose splendor shall surpass its architectural beauty? 'If we would become a people of refined taste and high endowments, and take rank with the most intelligent nations of the earth, now, and now only, is the propitious time to begin."

The resolutions accompanying this admirable report recommend that all duplicates in the State, not required by law to be preserved, be set apart for the purpose of exchange, and that five hundred copies of "Instructions on the best mode of collecting, preserving, and transporting objects of natural history," be printed for distribution.

The act which followed appropriated two hundred dollars for the support of an agent of Exchanges.

The wishes of the Legislature were fully carried out: a handsome collection of duplicates was placed in my hands, to be presented in the name of the State to European Institutions.

MASSACHUSETTS.—It would swell this report far beyond the limits I have prescribed for myself, to dwell in minute detail upon the action taken by each State. I shall be obliged, therefore, to confine myself to as brief a statement as possible of their proceedings. The following resolves and accompanying letter will sufficiently explain the course adopted by Massachusetts:

"*Resolves to promote mutual Literary and Scientific Exchanges with foreign countries.*

"*Resolved,* That the Secretary of the Commonwealth, under the direction of his Excellency the Governor, be authorized to exchange copies of the State maps of Massachusetts, not exceeding twenty in number, and bound copies of the laws and legislative documents of the Commonwealth for the current political year, not exceeding fifty volumes of each, for books and other works of science and art from foreign countries, to be deposited in the Library of the General Court. And the Secretary is hereby authorized to cause fifty copies of each of the said documents, for every future year, to be printed, over and above the number to be bound in volumes, and set aside for the purpose of effecting therefor said Exchanges hereafter.*

"*Resolved*, That his excellency the Governor, be authorized to appoint some suitable person, residing in the city of Paris, France, to be the agent of the Commonwealth, in transmitting to, and receiving from, the Secretary's office all such books, and other works of science and art, as may be addressed to his care, in pursuance of the object of the preceding resolve, and to audit and allow all reasonable charges of said agent for the receiving, packing, carriage, and exportation of said objects of Exchange; provided that the total sum so expended shall not exceed three hundred dollars.

"House of Representatives, February 26, 1845. Passed.
"SAML. H. WALLEY, Jr., Speaker.

"In Senate, February 27, 1845. Passed.
"LEVI LINCOLN, President.

"February 27, 1845. Approved.
"GEO. N. BRIGGS.

"Secretary's Office, March 15, 1845.
"A true copy. Attest:
"JOHN G. PALFREY, Secretary.

---

*According to this resolve, 150 volumes of legislative documents, 13 copies of the geological reports, 52 scientific reports, 20 maps, have been transmitted.

"MY DEAR SIR: I send you herewith a copy of resolves passed by our Legislature at its present session.

"I have it in charge from his excellency, the Governor, to say that he requests you to accept the appointment of agent under the second of the resolves, and that he has no doubt that this Commonwealth will derive important benefits from your enlightened and liberal exertions.

"I am, dear sir, with the highest regard, your friend and servant.

"JOHN G. PALFREY,
"Secretary of the Commonwealth.

"To A. VATTEMARE, Esq., Paris, France."

RHODE ISLAND.—The letter of Prof. Jewett, which follows, gives a succinct statement of the action of this State:

BROWN UNIVERSITY, *Providence*,
January 29th, 1846.

"DEAR SIR: Your letter to the Governor has been received, presented to the Legislature, and referred to the committee on education; the chairman of the committee, M. Goddard, formerly a professor in our college, presented a report, with resolutions, thanking you for your generous exertions, and particularly for your handsome presents, and voting several extra copies of all reports and documents published by the State, and authorizing the Governor to pay all charges that may occur for the packing up and transportation of said books, and any others to be sent to us from Paris, through your agency. This was carried through the House and Senate unanimously, and it is, I believe, the only question which has been decided unanimously in our Legislature for a long time.

"You will probably receive the report and the votes by this steamer, or the next.

"The Rhode Island Historical Society have also passed votes of thanks and resolutions in favor of your project, which you will receive soon."

NEW YORK.—On the 25th of Oct. 1847, the joint library committee of the two houses to which was referred the message of the Governor, the communication of the trustees of the State Library, and other documents relative to the system of international exchanges, brought in a report in which, after commenting in the most approving terms upon the system, and showing the rich fruits to be anticipated by the State, and the country from its establishment, they recommend the passage of the act accompanying the report, in the following remarks:

"It seems to your committee, proper that some testimonial more substantial than mere words of kindness and approbation should be afforded to this enterprise—that, in order to secure the future success and permanency of the system, some suitable person in Europe should be appointed, as the agent of this State, in transmitting and receiving all such books and other works as are intended as subjects of international Exchange.

"For that purpose, as well as for facilitating and encouraging the interchange between the several States of the American Union, your committee recommend to your consideration the bill, a copy of which is hereto annexed, marked 'A.' An appropriation of five hundred dollars, for the promotion of these objects, was made by this State in the year 1846. (See Session Laws of 1846, p. 479.) The States of Maine and Massachusettes have, since the year 1844, made an annual appropriation of three hundred dollars each, for the support of the agency in Paris only. These sums, though in themselves small, will, if appropriated by all the States and Governments with which M. Vattemare has opened his system of interchanges, it is supposed, be sufficient to defray the expenses of the agency, together with the innumerable incidental expenses of the system and secure to it a permanence which will ensure its entire success."

(A.)

"AN ACT to provide for the support of the System of International, Literary and Scientific Exchanges.

"*The People of the State of New York, represented in Senate and Assembly, do enact as follows:*

§ 1. The Governor, by and with the advice and consent of the Senate, shall appoint some suitable person, residing in Europe, to be the agent of this State in transmitting to and receiving from this State all such works as are intended as subjects of International Exchange.

§ 2. The sum of one thousand dollars is hereby appropriated to be paid out of the treasury, on the warrant of the Comptroller, to the Regents of the University, to be by them applied in defraying the expense of such agency, and in such other manner as they shall deem best for the promotion of the System of Literary and Scientific International Exchanges, founded by M. Vattemare, and exchanges between this State and the other States of the Union.

§ 3. The further sum of six hundred dollars, to be paid as aforesaid, in each of the years 1848 and 1849, is hereby appropriated for the same purpose.

§ 4. This act shall take effect immediately.

New Jersey.—The committee on education of this State, on the 21st of January, 1848, submitted a report, in which they dwell with great force upon the moral advantages of the plan, and conclude in the following words:

"These Exchanges are calculated to produce a two fold benefit. On the one hand, they will impart and extend a knowledge of our country, where it is now comparatively unknown; and on the other hand, excite and increase in our land, and among our own population, a spirit of inquiry, and desire of more perfect information as to what other nations are accomplishing in the varied walks of science, literature, and art, which may bring forth the good fruits of wholesome emulation and amicable rivalry.

Entertaining these views, your committee recommend for adoption the following joint resolution:

"*Resolved by the General Assembly of the State of New Jersey, (Senate concurring,)* That the Secretary of State be directed to present to M. Vattemare, and through him to the Chamber of Deputies and the Minister of Commerce and Agriculture of France, the thanks of the Legislature of the State of New Jersey, for the valuable present of books made by them to this State, and, as a slight return for the same, that M. Vattemare be presented with copies of our State documents and laws, together with such other books which may throw light upon the history and resources of our State, as your committee shall select from the library of the State, to be distributed by him in such mannner as he may think best calculated to effect the object of his important enterprise."

The joint resolutions adopted by the legislature are as follows:

"Joint resolutions relative to M. A. VATTEMARE'S system of International Literary and Scientific Exchanges, and to provide for the support of an agency at Paris, in France.

"1. *Be it resolved by the Senate and General Assembly of the State of New Jersey,* That the sum of three hundred dollars be and the same is hereby appropriated to defray the expense of an agency in the city of Paris, in France, for the purpose of receiving and transmitting such works as may be made the subject of international exchanges.

"2, *And be it resolved,* That the Governor of this State be, and is hereby, authorized to appoint some suitable person as agent for the State of New Jersey, at the city of Paris, in France.

"3. *And be it resolved*, That the said sum of three hundred dollars be transmitted by the Secretary of State, whenever officially informed that such agency has been duly established, and that the said agent be requested to report semi-annually, to the Governor of this State, of all his transactions and proceedings relative thereto."

PENNSYLVANIA.—My first application to the State of Pennsylvania was made on the 10th of April, 1848. Although it was the last day of the session, I was received and heard with the utmost kindness, and the following handsome preamble and resolutions unanimously adopted:

Resolutions relative to international exchanges, proposed by Alexandre Vattemare.

Whereas, Monsieur Alexandre Vattemare, a citizen of the republic of France, having patriotically devoted his time, talents, and fortune, for a period of twenty years, to bring about and perfect a system of international exchange of specimens of natural history and works of science and art between the different nations of the world;

And whereas, said Monsieur Alexandre Vattemare having presented to the commonwealth at various times, since the year 1843, a large number of rare and valuable works, which have been deposited in the State library;

And whereas, said Monsieur Alexandre Vattemare having, at the request of the Pennsylvania delegation in the House of Representatives in the Congress of the United States, visited the capital of this commonwealth for the purpose of conferring with the Legislature and officers of the government in reference to the most expedient measure to be pursued in furtherance of his most praiseworthy and important enterprise;

And whereas, the present session of the Legislature being about to expire, it is impracticable for it at this time to take such part in the consideration of the question, as it otherwise would take great interest and pleasure in doing;

Therefore,

Be it resolved by the Senate and House of Representatives in General Assembly met, and it is hereby resolved by authority of the same, That the Governor and Secretary of this Commonwealth be, and they are hereby authorized and requested to confer with said Monsieur Alexandre Vattemare, during the recess of the Legislature, upon the subject referred to in the preamble to this resolution, and to adopt such measures as they may deem most expedient to carry out the object in view, and report thereon at the next session of the Legislature.

WILLIAM F. PACKER,
Speaker of the House of Representatives.
WM. WILLIAMSON,
Speaker of the Senate.

Approved, the tenth day of April, one thousand eight hundred and forty-eight.

FRS. R. SHUNK.

DELAWARE.—The Governor of Delaware, in a letter dated January, 1848, expresses his intention to "lay the plan before the next Legislature, (in January, 1849,) with the expression of (his) cordial approval," and promises to give to the promotion of my views not only the influence of an official recommendation, but the weight of his personal sanction.

MARYLAND.—At the December session of the Legislature, in 1841, the State Librarian made a report, in which he recommended the adoption of the system of exchange; and on the 10th of March, 1842, the following resolution was adopted:

Resolution of the General Assembly of Maryland, passed March 10, 1842.

No. 11. *Resolved by the General Assembly of Maryland,* That fifty copies of the laws, public documents, and journals of the Senate and House of Delegates, of the number annually printed for distribution among the several counties and Howard district of this state, shall be, and the several printers of the Legislature are hereby authorized to deposite the same in the State Library for the purpose of exchange in foreign countries; that the librarian be, and he is hereby authorized and required to have the same bound, and to transmit the above extra copies of the laws, public douments, journals of the Senate and of the House of Delegates, together with such surplus books now remaining in the Library, as the joint committee on the Library may direct, to the agents of foreign countries in the United States authorized to receive the same for the above purpose.

On the 9th of March, 1844, the following resolution was adopted:

Resolution, passed March 9, 1844.

No. 53. *Resolved by the General Assembly of Maryland,* That, for the purpose of carrying into effect the resolution of December session, 1841, No. 11, directing the Librarian to perform certain duties, that his excellency the Governor be authorized to pay, out of any unappropriated money in the treasury, such sums of money as may be necessary, under the said resolution, to defray the expenses incurred in the exchange of surplus books, documents, &c., with the agents of foreign countries, as may from time to time be authorized by the joint committee on the Library.

VIRGINIA.—On the 5th of April, 1848, the Governor of Virginia addressed to me a communication, from which I beg leave to make the following extract:

EXECUTIVE DEPARTMENT,
RICHMOND, VIRGINIA, *April* 5, 1848.

DEAR SIR: You will receive, herewith, sundry resolutions of the General Assembly of Virginia, adopted on the 23d of March, 1848, in which that body, expressing the sentiment of

Virginia, approve your "noble design," applaud the spirit which conceived, and the enthusiasm which has achieved it, and tender you the agency for this State for the purpose of sustaining and continuing it.

The resolutions accompanying this letter were the following:

Resolutions of the General Assembly of Virginia.

Whereas, the Legislature of Virginia regards with interest the noble design of a national interchange of productions of art, science, industry, and natural history, projected by Mons. Alexandre Vattemare, and patronized with such magnificence by the French Government, and is desirous of contributing to a work so important—

Resolved by the General Assembly, That the spirit which has conceived this design is as admirable as the disinterested enthusiasm which has achieved it; and that this Legislature, as a testimonial of its appreciation of the character and services of its distinguished author, hereby invite him to visit the halls of legislation during the session of the Legislature, and hereby tender to him the appointment of agent for the State of Virginia for conducting the exchange of such subjects as may be presented by Virginia to France.

Resolved, That the Legislature has learned with gratitude that France, of whose prosperity we always hear with pleasure, and in whose misfortunes we always sympathize, has presented to Virginia literary works of a rare, useful, and costly character, for which it is incumbent to make some return, even if inadequate.

Resolved, That the State Librarian be instructed to forward to the agent of International Exchanges such copies of the Code and of the Law Reports, of the Journals and other legislative documents, or other works, as may be spared without detriment to the library. He shall forward such reports of the moral, social, and political statistics of Virginia, as may tend to diffuse amongst other nations a correct knowledge of her institutions, her condition, and her capacities; that he shall likewise forward any private donations intended for the department of International Exchanges; and that he be required to report annually to the joint committee of the Library.

INDIANA.—The following letter from the Governor of this State, with the resolutions which accompany it, will show the highly liberal course which she has pursued in relation to exchanges. I ought to add that all the proceedings of her Legislature upon the subject have been printed together in an executive document which, for typographical beauty, would do credit to the oldest State in the Union:

INDIANAPOLIS, INDIANA,
March 2, 1848.

DEAR SIR: Your letter and the accompanying documents with which I was favored, were duly laid before the Legislature of this State at its last session, with a recommendation of your proposed system of international literary exchanges. In accordance with my expressed wish, a joint resolution was passed by that body, a copy of which I take pleasure in enclosing to you; the terms of which, although not as liberal as could have been desired, yet, in the present condition of the finances of the State, it is hoped may prove satisfactory.

I gladly avail myself of the occasion to repeat the invitation extended to you by the General Assembly, to visit this place, at such time as may suit your convenience, for the purpose indicated in the enclosed joint resolution.

That you may succeed in your laudable public-spirited enterprise beyond your most sanguine expectations, and that your life may be spared until you reap a well-merited reward for the time, labor and talent, which you have so generously bestowed upon it, is my fervent wish.

I am, dear sir,
Very respectfully,
Your obedient serv't,
JAMES WHITCOMB,
Governor of Indiana.

UNITED STATES OF AMERICA.

STATE OF INDIANA.

A joint resolution relative to international literary exchanges.

Be it resolved by the General Assembly of the State of Indiana, That the duties devolved on the Secretary of State by a joint resolution, approved January 15, 1844, and also a joint resolution, approved January 27, 1847, both in relation to international literary exchanges, be, and the same are hereby devolved on the State Librarian, who is directed to fit up in the State Library Rooms all necessary shelves and cases for the reception and safe-keeping of such exchanges as shall be presented to the State; and who shall also, in his annual report to the General Assembly, make a separate and detailed statement of their extent and condition.

Be it further resolved, That Alexandre Vattemare, who projected said system of International Exchanges, and is now in the United States, with a view to its more perfect development and general adoption, is justly entitled to the thanks of the General Assembly and the people of Indiana, for his exalted and untiring efforts in establishing for them a direct intercourse with the minds and hearts of Europe, of which valuable fruits have already been tendered to the State; and in testimony of their appreciation of his eminent services, the said Alexandre

Vattemare is hereby invited by the General Assembly to visit the capital of Indiana at his earliest convenience, for the purpose of conferring with the Governor in relation to his system of exchanges, and the best method of rendering it permanently subservient to the welfare of the State; and the Governor is hereby authorized to adopt any and all arrangements, within the means granted by this resolution, as will most effectually and amply accomplish the object in view.

Be it further resolved, That Alexandre Vattemare is hereby constituted the agent of this State in effecting international exchanges with such governments, public institutions, and cities of Europe, as shall adopt this system; and for the necessary expenses to render such agency permanent and effectual, an annual sum, not exceeding four hundred dollars, is hereby appropriated to be paid out of the treasury on warrant of the Auditor of State, who shall issue the same on the certificate of the Governor that the amount certified has been properly expended.

Be it further resolved, That there shall be annually printed and bound fifty extra copies of all laws, resolves, journals, and legislative documents, which shall be especially set apart for international exchanges; and the Governor and State Librarian are hereby authorized to select such duplicate works in the State Library as can be spared, to be used for the same purpose.

Be it further resolved, That the instructions on the best mode of collecting, preserving, and transporting objects of natural history, which were communicated with the documents accompanying the Governor's special message, be added to the documentary journal, and that five hundred extra copies be printed for distribution, under the direction of the Governor, with such other documents as he shall deem useful and proper.

Be it further resolved, That the Governor be requested to communicate a copy of this joint resolution to said Alexandre Vattemare.

WILLIAM A. PORTER,
Speaker of the House of Representatives.
PARIS C. DUNNING,
President of the Senate.

Approved, February 12, 1848.
JAMES WHITCOMB.

MICHIGAN.—On the 12th of March, 1844, the following preamble and resolutions passed the Legislature of Michigan:

Preamble and joint resolution relative to Mons. Vattemare's system of international literary exchanges.

Whereas, Mons. Alexandre Vattemare, a citizen of France, has, with an unexampled zeal, devoted his time, his energies, and his fortune, to the philanthropic effort of establishing an intellectual confederacy among the nations of the earth;

And whereas, his system of international literary exchanges is not only promotive of science and the improvement of literature and the arts, but is also conducive to the fraternization of governments, and the diffusion of civilization throughout the globe;

And whereas, the project has been approved by the Chambers and Ministers of France, by the Congress of the United States, and the Legislatures of several of the States, and by the statesmen and literati of both nations—

Be it therefore resolved by the Senate and House of Representatives of the State of Michigan, That in grateful acknowledgments of his disinterested labors in the cause of humanity, and for the valuable works presented by him to the State, the thanks of the people of Michigan are respectfully tendered to Mons. Alexandre Vattemare by the representatives of the people in Legislature convened.

Resolved, That his excellency the Governor be, and he hereby is authorized and requested to receive the parcel of books transmitted by Mons. Vattemare, through Lewis Cass, jr., esq., to the State of Michigan, and also the parcel consigned to E. Thayer & Co., forwarding merchants in the city of New York, and to place the same in the State Library.

Resolved, That his excellency be, and he hereby is, further authorized and requested to transmit to Mons. Vattemare a copy of the revised statutes and session laws of the State of Michigan, together with the journals and documents of both Houses of the Legislature, and such maps of the several counties as are now completed.

Resolved, That the State geologist be, and he hereby is authorized and requested to examine and report to the next Legislature what duplicate specimens of the natural history of Michigan are in his department of the University.

Resolved, That our Senators in Congress be instructed, and our Representatives be requested, to use their best efforts to obtain the appointment of Mons. Alexandre Vattemare as an agent of the General Government, to act in behalf of this State, with power to conduct literary exchanges between France and the United States.

Resolved, That his excellency be, and he is hereby requested to transmit a copy of these resolutions, and the report of the committee on education, to Mons. Alexandre Vattemare, and to each of our Senators and Representatives in Congress.

EDWIN N. LOTHROP,
Speaker of the House of Representatives.

EDWIN M. CURT,
President of the Senate (pro tem.)

Approved, March 12, 1844.

JNO. S. BARRY.

III. Wide as is the field which the system of International Exchanges proposes to occupy, it is a simple scheme which may be grasped by the intelligence of a child. It is a plan which is designed to give the intellectual treasures of the civilized world the same dissemination and equalization which commerce has already given to its material ones. By means of the agency of commerce, all productions which can administer to the support, comfort, or enjoyment of human life, which exist in superabundance in one quarter, are transported to another so that every nation enjoys all that can be found in every other. The American gentleman is indebted for the luxuries upon his table, the elegancies of his dress, and the splendor of his drawing-room, to every quarter of the globe. The system of exchanges proposes to go one step farther. It has for its comprehensive design to place at the disposal of every nation all the sources of intellectual culture of refinement of taste which are possessed by the most favored of its fellows; and to accomplish this desirable object by means which shall open, foster, and cement relations of amity and good fellowship between the parties concerned.

I am aware that a plan somewhat similar has long been in operation with regard to particular institutions and particular departments of human knowledge. Science has long acknowledged the importance, the indispensableness of such a course to the rapid advance of its great interests, and scientific bodies throughout the world are in the constant receipt of the published proceedings and papers of their co-laborers in the great cause. Its incredible progress, and the splendid results which every where surround us, and form the crowning glory of our age, are a sufficient testimonial to the wisdom of its unity of action. Yet even these exchanges have sought the ordinary channels of trade, and have been subjected to all the interruptions and burdened with all the taxes which encumber it.

The system of exchange does not propose to interfere in any way with any similar plan already in operation. Its main design is to open a channel of communication between the PEOPLE of the various nations of the world, which shall bring them together upon the neutral ground of letters, and by making them better acquainted with each others' laws, manners and customs, and intellectual wealth, by acts of mutual kindness and courtesy, to cultivate the spirit of peace and of reciprocal respect and good feeling.

Extensive business arrangements are necessary to carry out the plan. It was proposed to establish in the United States a central depot, to which all objects of exchange can be transmitted to be shipped to foreign countries, and where all returns from abroad may be received and sent to their respective destination in America. It will be seen, by reference in the two treasury circulars before quoted, that this depot is, by the official act of the Treasury Department, established at the New York custom house.

In connection with this depot will be a similar one in Paris, through which all exchanges are to pass. The depot in Paris will also be the seat of the GENERAL AGENCY, which will have the management of all the business of exchange, where all the responsibility for its faithful conduct will rest, and to which all subordinates will be accountable. The GENERAL AGENCY will employ subordinate agents in the capitals of all the nations and states which unite in support of the system, who will be paid by it and report to it; these agents will be charged with the receipt and transmission of all objects of exchange, and all the transactions of the general agency with their state or nation, will be conducted through them.

Such is, in brief, an outline of the *machinery* which it is in contemplation to employ. The necessity for it will be apparent from a few obvious considerations which I have already urged in a communication which I had the honor to submit to the joint committee on the Library of Congress during the past session, from which I beg leave to make the following extract:

"In the conduct of a system involving such a number of multifarious operations, *unity of action* is the first of all the conditions of success. A single establishment, ramifying itself by means of its agents wherever its operations demand its presence, must be made the responsible head, from which all the transactions of exchange throughout the world are to be controlled and directed, and where accountability is to rest. Division of this responsibility would lessen its force, and would take away the necessary guaranty for the faithful execution of the trusts imposed.

"With this view, and in accordance with the united opinions of the ablest men and the first scientific bodies of both continents, Paris has been selected as the seat of a Central Agency, having collateral branches in the capitals of the several States who unite in the support of the system. It will form the great heart—receiving from all quarters, and transmitting to all, the intellectual life-blood of the nations—their literature, science, and arts. All the agents of the system will be responsible to the Central Agency, and it, in its turn, will be responsible to the nations which make it the channel of their exchanges.

"For the support of this agency, an estimate was submitted to you several months ago, which I beg leave to recapitulate here:

"For one chief clerk	$1,000
" one assistant	450
" two messengers	400
" agents, resident at capitals of State	3,000
" publication of quarterly report	2,000
" rent, &c., of office	400
" traveling expenses	1,500
" incidental expenses	1,500
Total	$10,250

"The report referred to in the above estimate is one of the most important features of the plan, as it offers the most certain guaranty for the faithful expenditure of the funds appropriated for the support of the system, as well as for the proper distribution of the books, and other articles of exchange, entrusted to its care. It will exhibit, in the minutest detail, not only the pecuniary accounts of the Agency, but the disposition made of every article that passes through its hands, so that every institution and every individual who shall have contributed even the smallest pamphlet for purposes of exchange, will be able to ascertain at once whether it has been faithfully transmitted to its destination. The system of accountability will thus be rigid and complete. The report, while thus operating as a salutary check upon agents disposed to be unfaithful, will serve the further, and not less useful, purpose of furnishing to the institutions of the various countries connected with the plan, the means of ascertaining what each might obtain from the other, and where the objects desired could be procured. The operations of the system have not unaptly been compared to the circulation of the blood: this particular feature of it will correspond to the function of *nutrition*, which enables each part to appropriate whatever is best adapted for its own nourishment and growth.

"Of the sum required for the support of the Agency, $2,300 have already been secured by the legislative appropriations of various States, viz:

"By the State of Maine	$300
Massachusetts . . .	300
Vermont . . .	200
New York . . .	400
New Jersey . . .	300
Indiana . . .	400
Virginia . . .	400
	$2,300

"Add to this the sum appropriated by the Federal Government, ($2,000,) and we have a balance of but $5,950 to be secured from the twenty-three other States which have not yet acted on the subject. The interest everywhere manifested throughout the Union in the success of the system, warrants me in the expectations that not only the fourteen other States which have already opened communications with me on the subject, in terms favorable in the highest degree to the design, but every State in the Union will cheerfully contribute towards the support of the Central Agency at Paris."

It will be seen from the statements in the above extract that the sums asked of the various States are exceedingly small, yet they will be still farther diminished when the system has once been put in full operation, and all its transactions reduced to perfect regularity. Trifling as these sums individually are the aggregate of them forms the working capital of the system, and hence the dindispensable necessity of their being made *permanent.* The sole object of asking them at all, is to secure the permanence of the relations which the system of exchange has already been so successful in establishing between the civilized nations of the world; relations, the importance of which cannot be diminished by time. I have therefore most respectfully, but most earnestly, to request that some measure may be recommended to the Legislature of your State, calculated to place the annual appropriation beyond the reach of those causes which might operate temporarily to interrupt it. Thus the CENTRAL AGENCY would be enabled to found its expenses upon a perfectly safe basis.

In France, an old country, with a dense population, where the business relations of men are marked by a permanence and solidity which the circumstances and wants of a new country forbid, it would be impossible for me to secure the services of such men as the duties of the agency will require, unless I had it in my power to offer them the surest guaranties of the certainty and permanence of the means upon which I rely for their remuneration. I trust the importance of these considerations will lead to such action on the part of the various States, whose agent I have the honor to have been appointed, as will relieve my mind from all anxiety on the subject.

A brief notice of the advantages which may reasonably be expected from the full realization of the system of exchange will close this report, which I fear has already extended beyond the limits which I ought to have set to my demands upon your patience.

To America, it is believed that the increased knowledge and appreciation of her intellectual wealth and resources, which must result from the wide dissemination of her products of mind throughout the civilized world, would be more than a full remuneration for a hundred times the expenditure which is necessary to secure it; if, indeed, any pecuniary estimate is not wholly out of place in calculating the value of such appreciation. It is a lamentable fact that the United States does not occupy that high place, in European estimation, to which her social and national position entitle her. She is either seen through the distorted medium of a foreign press, or judged from the narrations of ignorant, prejudiced, or mercenary travelers, who visit her shores merely to discover such faults and foibles as will enable them to make a salable book. Had the people of Europe an opportunity of learning your wise and salutary laws; the peaceful, yet powerful working of your free government; your admirable institutions for the punishment of vice, and the relief of honest poverty; the freedom of your religious views, and the universal means of education which you possess; your public works and public press, rivalling each other in public benefit; your immense natural resources, and the enterprising industry of your citizens; could this knowledge but be diffused, Europe would at once be forced to respect and admire you for other than military or commercial triumphs, and feel proud that your continent was peopled by her sons.

One great step towards the spread of the knowledge of America and her institutions in Europe has already been made by the system of exchange in the formation of *an American Library* in the city of Paris. This Library is already in existence, and contains a highly valuable collection of American books, constantly increased by the large transmissions which American liberality is constantly enabling me to make to it of the richest productions of the national mind. In the hall of this Library, each State of the American Union has an alcove expressly appropriated for the reception of its contributions, each severally distinguished by its name, arms, and the date of its incorporation, so that the thousands of Frenchmen and foreigners of every nation, who visit the Hotel de Ville weekly, must, per force, become better acquainted with the history and genius of your glorious country. I appeal to American patriotism to aid me in making this library a worthy monument to the intellect and liberality of the nation.

The advantage to the book trade which must be derived from having copies of the best American works placed in the great Government Libraries of Europe, acting as a standing advertisement of the publishers and authors, is too obvious to require that it should be more than hinted. The same remark will apply to important American inventions. The American patentee could not be robbed of his right in, or the credit he deserves for, a useful invention, if the drawings, specifications, and model, were deposited in a foreign patent office as the evidence of his claim. This view was taken by the present able and liberal head of the United States Patent Office when he placed in my hands copies of the specifications and drawings of the most important inventions patented during the past year, to be presented to the Minister of Commerce and Agriculture of France.

The operations of the GENERAL AGENCY, when once it is fully established, may gradually, and with great advantage, be extended so as to embrace objects collateral to its main design. Statistical information of every kind may seek that channel for dissemination, and as an object directly in line of its chief purpose—to promote international good will—a bureau might eventually be engrafted upon it which should be charged with the interests of emigrants, furnishing them with every species of information in relation to the region to which they propose to remove, the price of land and labor, its sanitary condition, the expenses of transportation to it, the articles most necessary for their comfort, &c. &c. Artisans might be directed to the point where their labors would be most likely to meet with reward, and the honest and deserving be furnished with certificates which should secure for them a welcome and good treatment upon their arrival. I merely hint at these things to show that the system contains within itself elements of usefulness which are yet undeveloped.

The encouragement which it affords to the formation of new libraries and museums is among the prominent benefits promised by the system. It contemplates, as one of the most certain elements of its own permanent success, the establishment, in every quarter of the world, of free public libraries and museums, ever open to the use of the people. For the founding of such institutions peculiar inducements and facilities are offered by the system of exchange. It gives new and enhanced value to objects which were before, on account of their abundance, disregarded in their own peculiar locality. The laws, reports, and all the legislative documents of governments, assume, as the circulating medium of exchange, a value far beyond their cost, and will ensure returns of priceless works which could be obtained in no other way; and yet these documents are often stowed away in garrets as useless rubbish, or sold by the proud as waste paper. In addition to these, the town, city, or State, desirous of founding a library, has, in its specimens of natural history, its animal, vegetable, and mineral productions, an almost exhaustless fund, convertible, through the instrumentality of exchange, into books and works of art.

Thus a very limited expenditure of money will produce results of the highest value.

Every State in the American Confederacy, I believe, has, at its capital, a collection of books known as the State Library. In most of them, however, the works are chiefly of a legal and political character, intended almost exclusively for the use of the legislators during the session of their body. In the intervals between the sessions the library is only occasionally open, and, even if open all the time, would be of little benefit to the mass of the public, who either feel no interest in, or are not prepared to understand the subjects to which the works are mainly devoted. Science, general literature, and the fine arts, have no place among them: and literary men, and the reading part of the public, do not make these libraries places of resort for literary relaxation, or for severe study. There are doubtless exceptions, but such is the general character of these institutions.

Now, this might very readily, and with the most desirable results, be changed. The resources of exchange, liberally employed, added to a very moderate annual appropriation, judiciously applied, would build up in your State capitols libraries which would be just sources of pride, and afford, moreover, invaluable means of reference to scholars, and of cultivation and improvement to the whole people. There could be no spirit of exclusiveness in such institutions; each man would feel that he was enjoying the advantages which he had himself aided to procure, and that he and his children might freely avail of them without fear or favor.

This would be a true intellectual democracy—the best books, selected to suit the wants of all classes and professions, freely thrown open to the use of all. With reference to Exchanges, such a library would be the most proper channel through which the business should be conducted—the appropriate seat of the State Exchange Agency. It would open an account with the institutions of the State desirous of partaking of the advantages of the system, and with the national central depot, and thus be put in relation with the whole scientific and literary world.

A liberal system of domestic exchanges—each State setting apart for the library of each of her sister States copies of all the public documents, of every description, published by her authority—would make each of the States libraries, a depository of the complete materials for the history of every State in the Union, and thus the liability of important public historical records to loss or destruction would be diminished thirty fold; while the lights they throw upon legislation would be placed in possession of legislators in every portion of the country.

Let the means which have been hinted be judiciously used, and the State Libraries of America will ere long, in extent and usefulness, equal any similar institutions in the world.

Great as undoubtedly are the advantages which have already been suggested as likely to flow from the general adoption of the system of Exchange, yet it would be deprived of by far its greatest claim to the support of the wise and good, but for its important moral bearings. It is chiefly, as it tends to open between the people of the various nations of the world an intercourse of kindness and courtesy, to throw down the barriers of national prejudice, and cultivate a spirit of national peace and good will, that it appeals to the sympathy and encouragement of the patriot and philanthropist.

To employ the eloquent language of a report made by a committee of the Common Council of the city of New York:

"Hitherto the intercourse of nations, has hardly transcended the jealous boundaries of mere interest and diplomatic etiquette. Ambassadors have been interchanged and treaties negotiated to prevent encroachment on either side, to regulate the trade, and to protect the citizens of the contracting parties. Even friendship in such cases has always taken care that the clang of the warlike sword should be heard in the embrace of peace, and that the grasp of amity should ever be given with mailed hand. There is no instance of national relations, as your committee believe, in which the greatest care has been taken lest the one might obtain some advantantage over the other. But to the system of exchange is due the honor, of introducing a higher and nobler spirit into national intercourse. It has conceived and introduced into practice, the idea of true friendship between the great branches of the human family—of a friendship that aims at mutual benefits, rather than at self interest—which has no suspicion and no jealousy—which gives and receives without carefully inquiring into values or calculating profits—which, while it is eminently peaceful and beneficent, holds in reserve no means of hostility, and no threats of war. Like the mysterious wires which stretch almost from one end of the continent to the other, annihilating distance, and making all places through which they pass to be like one place, so these mutual gifts are destined to remove the barriers of antagonist nationality, and render the nations of the earth, as they should be, one united family."

V.

The united voice of hundreds of the greatest and best men of your country might be added to this glowing testimonial, but I can only allow myself to subjoin the following:

From the Hon. George M. Dallas.

"This conception of M. Vattemare's, of such simplicity in execution, and of such large philanthropy in results, is realized; its practical effects are seen, felt, appreciated; and, throughout civilization, the generous and wise cannot fail to establish and cultivate so certain a source of mental improvement, and so strong a bond of mutual respect and peace."

From the Hon. John Y. Mason.

"In such exchanges the friends of free government may anticipate rich rewards. In this enlightened age such acts of national comity are calculated to strengthen the bonds of friendship, and promote offices of good will and kindness between nations, not likely to be sundered or forgotten, by making the people of each better acquainted with the institutions, the laws, the arts, sciences and letters of the other."

From the Hon. Edmund Burke.

"This noble enterprise, which owes its origin to your devotion, enthusiasm, and persevering energy, will mark a new era in civilization. Nations, by interchanging the rich treasures of intellect, science, and art, will cultivate towards each other sentiments of mutual respect, sympathy, and good will; and thus will they learn to suppress those bad passions and vices which lead to contention, hostility and bloodshed, and which have scourged and afflicted the world with sanguinary and desolating wars. To achieve so great a victory over the passions and vices of men and nations by such noble means will be the proudest of human triumphs."

From the Hon. Franklin Pierce.

"That which was formerly only a figure speech, will now be a substantial reality, and the scientific and literary union of nations, which your efforts have effected, will consolidate 'the republic of letters.'"

I have thus, sir, laid before you, as briefly as the subject would permit, a statement of the details of my plan, as well as of the condition and prospects of the system of Exchange in your country. Flattering, as it undoubtedly appears, much will still depend upon the action which you are to take for its security and permanence. I rely with entire confidence upon your wisdom, and upon the friendly disposition towards the cause which you have already manifested.

Should the hopes which I have so much reason to indulge be indeed realized, then the intellectual union of nations will no longer be the dream of an enthusiast, but will have received from the western hemisphere an impulse which must secure its establishment; and the world which has so lately witnessed with admiration the triumphs of American arms, will, in the more quiet and grateful pursuits of peace, owe a new debt of gratitude to American example.

With great respect,
I have the honor to be, Sir,
Your obedient servant,
ALEXANDRE VATTEMARE.

REPORTS.

(A.)

REPORT

OF THE STATE TREASURER.

STATE TREASURER'S OFFICE, Wisconsin.
Madison, January 10th, 1849.

TO Hon. JOHN E. HOLMES,
Lieutenant Gov. and Pres't Senate :—

SIR—

Herewith I send you my first annual report, and through you respectfully make the same to both Houses of the Legislature.

With great respect,
I am, Your humble servant,
J. C. FAIRCHILD,
State Treasurer.

REPORT.

STATE TREASURER'S OFFICE, Wis.
Madison, Dane Co., January 10, 1849.

TO the Honorable the Senate and Assembly of the State of Wisconsin:

The undersigned respectfully submits his annual Report :

There has been received into the Treasury the following sums, to wit:

			State orders.	Cash.	Total.
1848.					
July 25.	From	Simeon Mills, late Terr'l Treas.,		765 06	765 06
Sept. 30.	"	Monitowoc, Co.,	308 37		308 37
Dec. 12.	"	Jefferson County,	555 00	40 94	595 94
" 16.	"	Brown County,	264 00		264 00
18 & 19.	"	La Fayette Co.,	1879 84		1879 84
1849.					
Jan'y 2.	"	Grant County,	2356 95		2356 95
" 6.	"	Marquette Co.,	1085 00	186 00	1271 00
" 10.	"	Iowa County,	486 00	15 00	501 00
			$6935 16	$1007 00	$7942 16

The disbursements are as follows:

1848.		Cash.
July 31.	To Earnest F. Hertzburg, Order No. 5,	50 00
Aug. 2.	David Holt, jr., Order No. 6,	435 00
" 12.	W. H. & A. U. Wyman, Order No. 7,	221 55
1849.		
Jan'y 6.	J. C. Fairchild, Treasurer, Order No. 140,	252 05
	Balance on C. L. Sholes' order for per diem pay as Senator (whole order $155); the balance of said order was received on account of arrearage revenue due from Brown County,	26 00
		$984 60

Balance on hand $22 40.

J. C. FAIRCHILD,
State Treasurer.

RECAPITULATION:

The following is a description of the Secretary of State orders received on account of revenue due the State as well as those redeemed with cash, to wit:

Date.	*To whom payable.*	*Number.*	*Amount.*
Aug. 21, 1848.	Henry Lines,	96	145 00
	Ezra Durgin,	30	155 00
	Beriah Brown,	106	153 37
	Henry M. Billings,	78	155 00
	Simeon Mills,	122	100 00
	Thomas Jenkins,	40	155 00
	Horace Chase,	25	155 00
	William Caldwell,	24	155 00
	Peter H. Turner,	64	155 00
	Thomas K. Gibson,	80	155 00
	Monroe Thompson,	63	155 00
	Joseph Turner,	86	155 00
	Archibald Nichols,	51	155 00
	Armistead C. Brown,	18	155 00
	Alanson B. Vaughan,	65	155 00
	D. G. Fenton,	76	155 00
	James Gillmore,	33	155 00
	Arthur W. Worth,	71	155 00
	Samuel S. Railer,	111	76 00
	J. Gillett Knapp,	120	32 20
	John E. Holmes,	93	390 00
	Davenport Rood,	56	155 00
	Samuel Parkhurst,	102	42 00
	E. Slothower,	59	155 00
	Robert L. Ream,	98	174 00
	C. Latham Sholes,	89	155 00
Aug. 23	Tenney & Smith,	132	1450 20
" 12	W. H. & A. U. Wyman,	7	221 55
" 1	David Holt,	6	435 00
July 31	Earnest F. Huzberg,	5	50 00
Sept. 5	Nelson Dewey, Governor,	138	20 00
Dec. 19	Dean & Co.,	147	26 44
" 30	J. C. Fairchild, Treasurer,	153	202 19
" 30	Nelson Dewey, Governor,	151	312 50
Oct. 14	Nelson Dewey, Governor,	144	397 26
Sept. 30	J. C. Fairchild, Treasurer,	140	252 05

DESCRIPTION OF ORDERS ISSUED BY NELSON DEWEY, GOVERNOR.

Dec. 30	T. McHugh, Sec'y State,	2	300 00
" "	N. Dewey, Gov. own order on contingent fund,	3	50 00
	Total amount of Orders received,		$7919 76

All of which is respectfully submitted.

J. C. FAIRCHILD,
State Treasurer.

PETITION OF H. EUGENE EASTMAN, AND ACCOMPANYING DOCUMENTS.

(B No. 1.)

H. E. EASTMAN'S PETITION.

To the honorable the Senate of the State of Wisconsin:

The memorial of the undersigned, a citizen of the State of Wisconsin, and a resident and elector in the First Senatorial District in said State, contesting and claiming the seat in your honorable body as Senator from the said First District, now occupied by Lemuel Goodell, Esq., of the county of Calumet, respectfully represents—

That at the general election held in the State of Wisconsin on the 7th of November, A. D. 1848, Lemuel Goodell received nine hundred and sixty-four votes, David Giddings received one hundred and forty-one votes, and your memorialist received six hundred and ninety votes, for the office of Senator for the First Senatorial District of the State of Wisconsin.

That on the day of agreeably to the laws of this State, the said Lemuel Goodell was declared duly elected by, and received his certificate of election from, Thomas McHugh, Secretary of State, whose duty it is by law to issue such certificate to the person receiving the greatest number of votes. That under and by virtue of such certificate, Mr. Goodell has appeared and taken the oath required by law, and now holds and occupies a seat in this body as Senator from the above mentioned district.

Your memorialist further represents, that at the time Mr. Goodell was elected, or pretended to be elected, a member of this Senate, he held the office of Postmaster at the town of Stockbridge, in the county of Calumet; which office he continued to hold, and to perform the duties, and to claim and exercise the privileges thereof, and to receive the compensation attached thereto until
Nor is it known to your memorialist that the said Goodell has yet resigned said office.

Your memorialist further represents, that the office of Postmaster is an office created by the laws of the United States—is a part of the Executive Department of the United States Government—and the incumbents of the same, besides perquisites of office in some instances, as in this, receive an annual compensation from the United States Treasury.

Your memorialist further shows, that by the 13th section of the 4th article of the Constitution of the State of Wisconsin, it is provided and declared, that—

"*No person being a member of Congress, or holding any military or civil office under the United States, shall be eligible to a seat in the Legislature.*"

Under the above statement of facts, and of the law, your memorialist respectfully submits, that—

Lemuel Goodell, Esq., now having a seat in your honorable body, did, on the 7th of November last, hold a civil office under the United States.

That said office is incompatible with the office of Senator, to which he claims to have been elected on that day.

That the said Goodell was *ineligible* in consequence of his relations to the United States, existing at that that time, under the provisions of the Constitution of Wisconsin.

That Mr. Goodell could not be, and has not been, legally elected a member of this Senate, and that the certificate by virtue of which he has been admitted to a seat, ought to be set aside and the seat vacated.

That the people of the First Senatorial District are entitled to representation in this house. That having voted by qualified electors, at a regular election, for candidates for the office of Senator, no two of which candidates have received an equal number of votes, it must be that some one has been elected.

That your memorialist having received a greater number of votes than any other *eligible* candidate, has been duly elected to, and is entitled to a seat in this house.

In support of the above proposition, I have the honor to submit the following remarks by way of argument:

By the first clause of section 7 of article 4 of the Constitution of this State, it is declared that—

"Each House shall be the judge of the elections, returns, and qualifications of its own members."

Under this clause of the authority which guides and governs your deliberations, is submitted for adjudication the conflicting claims of Mr. Goodell, the member returned, and myself, the contestant. In deciding upon these conflicting claims, you are made judges, and are to act judicially; and you are thus to be guided by public law and established precedent. You are not acting as legislators, under the guidance and direction of your own discretion and your own individual notions of fitness and propriety. Were this matter an act of legislation, a mere majority of your body might in the simple exercise of individual discretion or of arbitrary will, vacate the seats of such members as they pleased, and return such men as they desired, without reference to or regard for the will, wishes, or interests of the people to be represented. You are also to decide upon the record—recognizing nothing for law which has not been duly enacted or legitimately established by way of precedent—and assuming nothing for fact which shall not be duly proven. You can neither *make law*, nor presume facts for the decision of this cause.

The first question for your consideration is—

Can Lemuel Goodell hold the seat and exercise the functions of Senator from the First Senatorial District?

The first clause of section 13 of article 4 of the Constitution of our State—that fundamental law which by its operations guides, impels and restrains equally the people of this State and their representatives, declares that—

> "*No person being a member of Congress, or holding any military or civil office under the United States, shall be* ELIGIBLE *to a seat in the Legislature.*"

If Mr. Goodell was ever elected to this Senate, it was on the first Tuesday of November last. If he was then *ineligible*, he clearly was not then *legally elected;* because it is impossible one should have been legally elected to an office to which the fundamental law, whence you and the people derive all their powers and privileges, declares *he cannot be elected.* If he could not *then* be elected, he has *not been* elected: and inasmuch as no one can assume the duties and privileges of a representative of others, but by their proper election, for this Senate to confirm him in his seat would be to exercise the functions of electors of its own members—a power nowhere given to it. You are to decide upon the election of your members—but not to make an election. You are to judge of the qualifications of your members—but not to presume them or supply them where they do not exist, or to cure by your verdict one of the positive *disqualifications* set out in the organic law.

Ask yourselves, then—Was Mr. Goodell, on the first Tuesday of November last, *ineligible* to a seat in this House?

The facts adduced before you, show conclusively, that before, at the time, and subsequent to the late State election, Mr. Goodell held, exercised the privileges, discharged the duties and received the emoluments of the office of Postmaster at Stockbridge, in the county of Calumet.

Is that a "civil office under the United States," within the meaning of the Constitution? If so, he has never been legally elected, and his certificate is valueless to him. That issued of course from the Secretary of State, upon the returns of the board of canvassers, under the 13th, 14th and 15th sections of title 4th of the "act to provide for holding general and special elections, &c., approved 21st August, 1848," and is evidence of nothing more than that he received the greatest number of votes at the election in November. Neither the board of canvassers nor the Secretary of State were competent to pass upon his qualifications. That is a question reserved for the adjudication of this body.

First, then, I respectfully submit, that the office of Postmaster is a "civil office under the United States."

An office under the United States is one provided for by the laws of the United States, and existing under the authority of the General Government. This is clearly such an office; and Mr. Goodell was undoubtedly its incumbent on the first Tuesday of November last. His office existed by virtue of an act of Congress of the 31st of March, A. D. 1825; and he held it by virtue of an appointment by the Postmaster General—being the head of a branch of the Executive Department of the United States Government—clothed with that authority by the 2d clause of section one of that act—and that in conformity to a provision in the second clause of article second of the Constitution of the United States. Similar provisions to that under consideration are to be found in the constitution of most of the States of the Union; and the object aimed at was undoubtedly to protect the local legislation of the States from any undue influence by the Government of the United States. There was something so mischievous to the character of legislation—something so threatening to the purity of their councils, that the framers of State Constitutions, in their wisdom drawn from remote antiquity, said—We will not have our councils filled with placemen and pensioners, pampered by the bounty, and awed by the will, of those who control the General Government. The examples of other countries and other ages were before them; and they felt as if yielding to such an influence was to make the legislation of each indpendent sovereignty an idle mockery, and dangerous exceedingly. The corrupting influence of patronage was to be avoided, and our local legislation sheltered from the evils following Executive power, and which might destroy its independence and purity. The eminent and wise men who framed the Constitution of the United States, and those of most of the individual States, prudently considered all placemen of the General Government as unfit to represent the people in the Legislative Department; hence they *all* provide that executive and legislative duties *shall not* be exercised by the same men at the same time. The incompatibility is generally confined to the power of *acting*. In a few instances of the older Constitutions, and *all* of the later ones, it extends to *eligibility*. The history of the corruptions of Parliament; our experience of the operations of this worst of all influences in our own Government; all our knoweledge of human nature, and of the strange motives and hidden springs of human action, admonish us of the prudence and propriety of such a provision in our Constitution, and to guard well against any attempt at a perversion or violation of its spirit and intention. Once sanction the principle and establish the precedent that the incumbents of executive offices are to be *eligible* to this body, and the like; open the doors of your councils to the creature of executive power; devote, *prostitute* the patronage of Government and the irresistible weight of the influence of office to the purposes of election—to promote the views and advance the schemes of Government—and you shall have a Legislature made up of your judges and martials, land officers, post officers, *et id omne genus*, and the popular will shall become the mere echo of Executive and Party domination.

In view of the alarming evils which might grow out of such a state of affairs, the people of this State have wisely seen fit to require that their own law-makers should owe no allegiance to the central power beyond that required of good citizens; and this requirement must not be disregarded. A postmaster is as much under the control and subjection of the General Government, as the marshal or the attorney for this district. The same reason which would exclude the one should exclude the other; and all comprized under the generic term of civil officers.

The office of postmaster has always been considered an office under the United States by Congress. By the last clause of section 6, article 1, of the Constitution of the United States, it is declared that—"No person holding any office under the United States shall be a member of either House, (of Congress) during his continuance in office"—evidently intending thereby to protect the Legislative Department of the Government from undue influence or interference on the part of the Executive Department. Under that clause postmasters have ever been disqualified to hold a seat in Congress. I respectfully refer the Senate to the cases of John P. Van Ness of New York, Samuel Herrick of Ohio, Elias Earle of South Carolina, and John Bailey of Massachusetts, as reported with the decisions upon contested elections by Congress.

This office was evidently so regarded by the framers of our own constitution, as will appear by reference to Sec. 3, of Art.

12, of the same; where, in providing for the qualifications of administrative officers, Postmasters, are expressly excepted from the list of those holding offices of profit or trust under the United States. If it be an office *at all* under the United States, it must be one of profit or trust. If it be not such an office, why except it from the operation of a clause which, under such an interpretation, would have no effect.

In some States the disqualifications for legislative employment is not extended to Postmasters; but in such cases it is believed that they are always expressly excepted; and thereby considered and treated as such civil officers, as without the express exception, as would be clearly disqualified. Upon this point I refer the Senate to 11th Sec. of Art. 4th, of the constitution of Maine, etc.

It is thus shown, then, that the office of Postmaster is an office under the United States. That it is such by its nature and constitution. That it has been so regarded by the Congress of the United States. That it was so regarded by the framers of our own constitution. That it is so treated by constitutions and laws of other States; and has been so held by all authority.—I submit then, that Mr. Goodell cannot hold this seat but by a direct violation of that fundamental law which he and you have sworn to support.

The only remaining question to be decided is, whether *I* am entitled to the seat to which Mr. Goodell has been returned.—This would seem to follow as a necessary consequence of the former conclusion, unless this Senate should assume the authority to disfranchise the people of the 1st Senatorial district, and to leave them without representation for a large part if not for all of the present session.

It would be an extraordinary conclusion to find that the people of that district held a legal election, by competent and qualified electors; that of all the candidates voted for, no two received an equal number of votes, and after all no body was elected.

It is admitted that in a republican government, a majority must generally govern. But it is equally undeniable that minorities have rights which must respected; and one of the most sacred of those rights is the right to be represented in the legislative department of the government. They may not always be able to command the representation of their choice; but they are entitled to a representation of some kind. This right may be defeated for a time in four ways, viz:

1st. By the act of God the chosen representative may be removed from life.

2d. By the resignation of the member elect, who has power so far to compromise this right.

3d. By the expulsion of a member for misconduct.

4th. By reason of a tie the people may fail to indicate their preferences.

But for the Senate to say that because Mr. Goodell *could not* be elected, *I have* not been, would be eqivalent to deciding that a majority or plurality may defeat an election and deprive the minority of a representation. The same plurality which voted for Mr. Goodell in November, may do so again; and we have no right to suppose they would not; and thus under the supposed rule of decision the people of that district are left without representation so long as that game is kept up,—and they acquire this power not directly by a grant in the constitution or by the law-making-power, but incidentally from a decision of this Senate.

I submit, that under our laws, the majority of the people in a particular district, although they may direct the character of their representation, they cannot prevent or forbid representation itself. The minority who have conceded that the majority may send the representative of their choice by virtue of their physical superiority, have not by any rule of republicanism, not even by the most orthodox doctrine of democracy, conceded to that majority the right to say they will not be represented at all. Suppose, that at the last general election, a majority of the people of that district, say the 1200 voters of the counties of Calumett, Manitowoc and Brown, had voted that it was inexpedient to choose a Senator—that they had been most egregiously humbugged by their late member, and that representation *was a bore*—and that the minority say the 500 voters of Sheboygan county had voted for some friend of their particular district for Senator, would there be any doubt that he would be entitled to his seat? Can this Senate then aid them to do that indirectly which they could not do by a direct vote? It may be answered that such was not the object of Mr. Goodell's friends. That they did not desire to prevent a representation of the district, and that they voted for him through a mistake as to his qualifications. This fact, if it be one, does not appear in the record, and we must not go out of it. We have no right to stultify Mr. Goodell's friends by the supposition that they did not understand the constitution of their own State, which he and they had just made, looked upon and pronounced good. But if it must be so—ignorance of the law which will not excuse from the consequences of crime, surely cannot excuse from the laches of error or the results of folly. Besides, we have seen that the majority cannot by a direct vote deprive the minority of a representation; and I hardly think it will be seriously contended that a blunder of that majority will entail consequences upon that minority which their deliberate act could not do.

We are now not discussing a mere point of etiquette or a matter of expediency. The question before you is one of right on the one side and of power on the other as legislators. I acknowledge this Senate ought at all times to pay great regard to the popular will; and it is proper that you should listen to any and every expression of that will in whatever form it may come. But as judges you can only be informed of that will by their express declarations, and the distinction is founded upon this reason. If in the enactment of a law, an ordinary act of legislation, it should so happen that you should misinterpret public sentiment, or misconceive public wants, that act can be repealed when you shall become better informed, and no considerable injury or injustice can result from your mistake. But there can be *no* repeal of the decision you shall make in this cause; no reparation for the injury you may do by a wrong decision. It will stand for two years; and if you decide wrong, it will work all the mischief it could do, were you to import a man from Canada and qualify and install him a Senator at your board.

Let us then examine what *we know* as to the popular will in the first Senatorial district. Not what we *imagine* nor what we suppose—nor what third persons may have said or may say as to that will,—but what appears upon the record before as evidence of that sentiment—what they have expressly declared in respect to their wishes.

Why we find that a certain number of the voters in that district have declared their wish to be represented by Mr. Giddings. A larger number have declared *their* wish to be represented by *me*; and a still larger number have asked to be represented by Mr. Goodell, an agent and officer of the U. States. This is all we know of their wishes—all the information we have as to the State of public sentiment in that district.

You have no right to suppose that any individual in that district would consent to be represented by any one else in it.—There are many other men there—as for instance, the Hon. Ex. member, now in the other House, and the Hon Ex. member as delegate in Congress, now in both Houses, and several other Ex. Hon. gentlemen, to whom no *consitutional* disqualifications attached, and yet no one of them all has received a vote.

What then should the Senate say upon these returns? I respectfully submit that the only answer to be given by this body to these returns, the only decision to be made upon these claims, is to say to those who voted for Mr. Goodell, "You cannot be represented by the man of your choice, because the people of this State have said in their Organic Law, that their laws shall not be made by the officers of the United State;" and to the friends of Mr. Giddings, "You cannot be represented by the man of your preference because he did not receive as many votes as another *eligible* candidate." But if you go farther and stifle the voice of my friends, you will then have declared that the whole people shall go unrepresented for the simple and single reason that a plurality cannot have the man for whom they have declared their first preference.

As men, you may have heard that the people of the first Senatorial district, are divided into three political parties, having certain distinct party names. That the three candidates voted for at the late election, were the candidates respectively of those several parties. And the party which supported Mr. Goodell comprises a majority of the electors in that district. As Senators, and liable to be imposed upon by some such romance, you may perhaps believe that this and the like tales have some foundation in fact. And you may be led to suppose that if Mr. Goodell's friends had known that the State of Wisconsin had just been created and erected by means of a constitution, and that one of the first, plainest and most sensible provisions of that instrument, made him ineligible to a seat here, that they would then have selected some other man from that same party. But as Judges, called upon to decide a very important right, you can know no such thing, and can entertain no such supposition.—The laws in our country know but two parties—the government and the people—the governors and the governed. In this, the arbitrament of this particular question, this Senate represents the government, and I come here in behalf of the people. In their name and behalf, I come here and demand *representation*—legal—*constitutional* representation. It will be said that I have not been sent here by a majority of the electors of my district.

The number of votes I may have received—though large—is not the important enquiry. Did any other *eligible* candidate receive a greater number? This is the question upon the decision of which my right to a seat in this House must depend.

The constitution of this State has given the counties of Brown, Calumet, Manitowoc and Sheboygan, one representative in this House. Suppose but ten electors in those counties had voted for me. That vote would undoubtedly have entitled me to the representation, if no other votes had been cast. And this consequence of those ten votes could be defeated in only one way, viz: by the uniting of a greater number of voters upon some other eligible candidate.

Suppose the whole vote of that district had been 1,000, of which I had received but 100, and the balance had been divided between twenty different persons, I should doubtless have been electod, and yet the popular voice would have been against me. Suppose the other 900 had voted to send no representative; this, as we have seen, would not have nullified the constitutional right of the people to a representation in this House.—Suppose they had thrown [illegible] votes or vot[illegible] Louis Philippe, who doubtless would like [illegible] uch comp[illegible] t this time—or have voted for a suppo[illegible] person not [illegible] *in esse*, does any Senator doubt that I [illegible] entitled to a seat [illegible]?

Well now, for the purp[illegible]. Mr. [illegible] was [illegible]. [illegible] and prope[illegible] of a citizen, [illegible] elected [illegible] qualified [illegible] the duties of the office [illegible] appointed, and [illegible] eligible [illegible] elected; and [illegible] Mr. [illegible] was [illegible]. He has been executed by the fiat of the organic law—shrouded in one of Cave Johnston's sheets of commission—buried in a grave of, his own digging, and his resurrection is not yet. He was suspended by his own act, from political existence; and a ballot with his name upon it would have no greater effect upon the result of that election, than if it had bore the name of Rip Van Winkle, or no name at all. It surely has no effect to make a choice, for it is for a man who cannot be chosen; and certainly it can have no effect to defeat a choice, because we have clearly seen, and must all admit, that the only mode by which a majority can defeat a choice by the minority, is by choosing a man themselves. Voting not to elect, will not do it; and it is quite as certain that voting for no man, or for a man who cannot be elected, will not.

And this brings us to consider the peculiar phraseology of that clause in the Constitution which disqualifies Mr. Goodell. It is believed to be the first occasion upon which this House has been called upon to settle construction of that clause in the Constitution which was evidently incorporated there for some prudent and wise purpose, and which must test the eligibility of a large class of worthy citizens and distinguished alike by their personal respectability and by their public stations. The uestion is an important one, and to those who will come after ou, and upon whom may devolve the adjudication of the same d similar questions, the principle of your decision should be learly defined and well known. You owe it to yourselves nd to your constituents—to the sitting member, and to those who sent him here—and to the whole State, by patient investigation and candid and impartial reasoning, to justify a decision which must exclude him or me from this body. The question [illegible]; [illegible] [illegible] this House; and [illegible] I am [illegible] entitled [illegible] him.

It will be seen that the language of this clause is somewhat different from the language employed in the Constitution of the United States, and in the Constitutions of the older States. They do not declare the holder of an Executive appointment to be *eligible* to a seat in Congress, or in the Legislatures of their respective States. But the former declares simply that, "No person holding an appointment under the United States shall be a member of either House of Congress during his continuance in office." The language employed in the Constitutions of the older States is of the same purport, and what was the consequence? Why, all such persons were eligible; and once elected, it was at their option either to resign their Executive appointment and to take their seat in the body to which they were returned, or to retain their office and vacate their seat; and they were not obliged to make their election until the meeting of the body to which they were elected; and then if they resolved to hold their offices, and thus vacate their seats, their constituents were left without representation until the vacancy could be supplied. To obviate this serious inconvenience, and to prevent the happening of such a contingency, has been the aim of later Constitutions, and was evidently the object of the convention which framed our own. By declaring all persons who are disqualified to *hold* the seat, ineligible *to* it, they have effectually put it out of the power of a majority even to endanger the sacred right of representation—a right so important to the people, so indispensible to their liberty and tranquility, that the person entrusted with it cannot be detained by process from the courts of law, by the ministers of justice—cannot be withheld from his seat by arrest even, except in some of the higher cases of crime. The choice between a representative and executive office is not submitted to individuals in our own State. The candidate for representative of the people here, must be qualified *for* that station before he can be elected *to* it. To *have* the one is to be *dis*qualified to be chosen to the other. And so it is said the last clause of the provision now under consideration, "if any person shall, after his election as a member of the Legislature, be elected to Congress, or be appointed to any office, civil or military, under the Government of the United States, his acceptance thereof shall vacate his seat." The convention could not violate the rights of a citizen of the United States, and say he should not be appointed or accept of an appointment to office under the United States Government, after being elected to the Legislature; but they carried out the principle which moved them to place any restrictions upon citizens in this regard at all, and declared that an acceptance of an Executive appointment should *vacate* the seat in the Legislative body; and I submit that this would as certainly have been the effect if Mr. Goodell had accepted an Executive appointment on the 8th of November last, as it would should he accept the like appointment to-morrow—supposing that he had been legally elected and properly installed a Senator at this board. But in pursuance of the power which clearly *was* vested in our Constitutional Convention, they could and *did* say that no person holding an office under the United States should be elected to this Legislature. And it is not a mere question of *incompatibility*. The objection goes to the man himself. Resignation of the disqualifying office does not cure the defect. So long as he is *ineligible* he cannot be elected; and surely no vote of this Senate can supply the *want* of an election, or constitute him a member who could not be and has not been elected.

In conclusion, it will be seen that I rest my claims upon two express and positive declarations in the Constitution. The first is contained in section 12 of article 14, and declares that the counties of Brown, Calumet, Manitowoc, and Sheboygan, shall constitute a Senate District, and *that each District shall be entitled to elect one Senator*. The second is contained in section 13 of article 4, and declares that the people of these counties cannot elect any person who holds any military or civil office under the United States.

By virtue and authority of the first declaration, I claim for the people of that district, *representation*. I claim it for the whole district, and the whole people—not for a section of the district, nor for a portion or a party of the people. And I claim it now—not hereafter—as the fruits of the last election; not as the fruit of any future election.

The people—the qualified electors of my district—have held an election at the time and in the manner prescribed by law; *some one* was legally, *constitutionally* elected at that canvass. Who is it that possessed the proper qualification to be elected, and to exercise the duties of the office, and that has received a greater number of votes than any other candidate so properly qualified? *for he* has been elected. This Senate has the power and the right, and it is made your duty under your oaths, to judge of the qualifications of, and to determine who was elected. But you have no power to make or annul an election.

In adjudicating the question as to who has been chosen, the Senate is bound to regard the wishes of the plurality of the legal voters, so far as expressed in conformity with the constitution and the laws of the State, and no further. A wish or preference expressed in derogation of either the constitution or any legislative enactment can receive no consideration in, or have any bearing upon, this trial, else ours is not a government of laws and constitutional rights, but the government of a lawless majority. Had three hundred of the residents of the county of Sheboygan voted for Mr. Goodell at a poll held in the county of Calumet, and he had been qualified to hold a seat in this body, he would have been rejected, beyond all question, and I should have been elected. And why? Certainly not because the popular voice and preference would have been less pertinently and pointedly in his favor; but simply because a part of that voice had been expressed in derogation of that clause in sec. 11 of art. 14 of the Constitution, which declares that "no elector shall be entitled to vote except in the town, ward or precinct where he resides." How much more manifest and well-grounded is my right to the seat, when the *whole* vote given for Mr. Goodell is in direct violation of that other clause in the same instrument, hereinbefore recited, which declares him *ineligible.*

A portion of the people of that district have disregarded the constitution by returning to this House a man whom that instrument disqualifies to hold a seat. This will not justify this Senate in also disregarding the same by granting or confirming him in the seat to which he has been thus improperly returned; much less can it afford any justification for punishing the *whole* people of that district by restraining representation, or violating their immunities by total or temporary disfranchisement.

The sole plea by which Mr. Goodell claims to be sustained, is, that he has received a majority of the votes in the First Senate District. But no majority in that district has power to annul a single clause, or set at naught a single line in the Constitution. The only argument by force of which I can be rejected, is rested upon the assumption, that the supporters of Mr. Goodell would have supported some man other than myself, had they known he was not eligible. But they have manifested no such state of opinion—they have declared for no such reserve of privilege. They have not said "we believe" Mr. Goodell qualified to hold the seat, and therefore vote for him. But they have said, we vote for him because we prefer to be represented by him, notwithstanding he is an officer of the United States, and that the Constitution of our own State has in this respect restricted him. We vote for him, and are willing to abide the consequences. If admitted to his seat, our preferences are gratified; if not, another man will be admitted, whom another portion of our community have preferred, and the district will not go unrepresented.

This is the legal, if not the plausible, interpretation of their votes. Besides, I again repeat, that a majority in that district have not the *power,* if even they had the disposition, to hold our constitutional right of representation in abeyance, while they test the qualifications of their champions and favorites by the actual and dilatory experiment. I have been told tauntingly, by men now in attendance on this Legislature, that I was silly exceedingly to expect a decision in *this cause* by *this body*, unfavorable to Mr. Goodell's retention. I will not insult this Senate by giving a moment's attention to so monstrous an idea as this unprincipled boast of power suggests as the governing principle in this and the like contests. I stand here upon the express letter of our fundamental law. Before my claims and the rights of the people I claim to represent, I interpose the broad shield of the Constitution. I ask no other instrument of protection or defence. The blow which strikes down that claim and those rights, must pierce through that instrument; and like the mantle which enshrouded the murdered Cesar, the *Constitution* of my State shall ever show the rent through which my opposers stabbed.

I have the honor to be, gentlemen,

Your obedient servant,

H. EUGENE EASTMAN.

Madison, January 10, 1849.

(B No. 2.)

REPLY OF L. GOODELL TO THE PETITION OF H. E. EASTMAN.

In complying with the request of the Senate, "that the Hon. Lemuel Goodell, Senator from the First Senatorial District, respond in writing to the petition of H. Eugene Eastman, Esq., as soon as may be, and that he either admit or deny the material allegations," &c. &c., the undersigned feels compelled, in justice to himself, to say, that in making a reply to a petition consisting of some twenty or thirty pages of closely written foolscap, he may have misjudged as to what were, and what were not, material allegations in said petition; and considering said petition, for the most part, a mere work of fiction—the offspring of a diseased imagination—the said petitioner imagining himself "enshrouded in the bloody mantle of Julius Cesar," and possibly imagines that he is "Julius Cesar" himself. Should the undersigned neglect to "admit or deny" such "allegations," he begs you will not consider any disrespect was intended towards your honorable body.

The first statement of the petitioner for a seat in this house, shows that the said petitioner did not get votes enough to elect him to the office of Senator of the State of Wisconsin; and this is a difficulty, as the undersigned believes, out of which this honorable body cannot help the said petitioner, however strong its sympathies may be for him.

The statement of the petitioner, that he only needed thirty-two more votes to elect him, is untrue, as will be seen by the following table, which has been procured from the office of the Secretary of State, to wit:

Votes cast for Lemuel Goodell and H. Eugene Eastman, in the First Senatorial District.

	GOODELL.	EASTMAN.
Brown county . . .	271	252
Calumet " . . .	64	91
Manitowoc " . . .	166	26
Sheboygan " . . .	463	321
	964	690
Deduct votes for Eastman,	690	
Majority for Goodell,	294	

Now, whoever may be entitled to a seat in your honorable body, it is evident that the desire of the petitioner, H. Eugene Eastman, Esq., cannot be gratified without first obtaining more votes, even though he do wear the "mantle of Julius Cesar."

Section 11 of article 14 of the Constitution directs, "That the returns of elections for Senators and members of Assembly, shall be transmitted to the Clerk of the Board of Supervisors, or County Commissioners, as the case may be; and the votes shall be canvassed, and certificates of election issued, as now provided by law." And in section 15, page 40, Revised Statutes, it is provided that "it shall be the duty of the said clerk of the county commissioners immediately to make out a certificate of election to each of the persons HAVING THE HIGHEST NUMBER OF VOTES for member of the Legislative Assembly," &c. &c.; but nowhere is it provided that any one else may be "declared duly elected," except "the person having the highest number of votes."

So as to the new act of 1848 the provision in section 14 of title 4, is that the "State canvassers" shall "proceed to determine and declare what persons have been by the *greatest number of votes duly elected,*" &c. &c.

So that, upon the said petitioner's own showing, he cannot claim a seat in the Senate. The petitioner says that a majority of the people have no right to vote that the minority shall have no representation at all—"not even by the most orthodox doctrine of democracy." And without inquiring in what great work of political economy the petitioner discovered this maxim, the undersigned, in compliance with the resolution of the Senate, admits its truth; without entering into any inquiry as to its *profundity*; and if, in the history of this Government, the fearful picture of the petitioner's imagination should ever be a matter of fact, the undersigned will feel committed, by this admission to that doctrine.

Perhaps the Senate might admit the choice of the minority of the First Senatorial District to a seat in the Senate, if it were satisfied that there was an intention on the part of the majority fraudulently to deprive the District of a representation. But is there any evidence to justify such a conclusion, in the circumstances attending this case? The Senate will not presume such to have been the intention of the freemen of the First Senotorial District. It is evident, therefore, that if the seat cannot be retained by the "person having the highest number of votes," the seat must be declared vacant. The framers of the Constitution have not left it so, that in the case which the said petitioner supposes, to wit—if it had been so "that but ten electors in those counties had voted for him," that they would have entitled him to a representation and to a seat in this honorable body. The chances are rare where "ten votes" will elect a man a Senator in Wisconsin. It is well known that a minority in a district, knowing they cannot control the result, often permit persons wholly unqualified for a station, to be nominated, *without any expectation or wish that they should be elected,* merely because it tickles their fancy *to have the honor of running.*

But the undersigned does not believe the Senate will declare him incapable of holding his seat.

There may be a good deal of doubt whether a "deputy postmaster" is to be considered a "civil officer" within the legal and proper meaning of that expression in section 13 of article 4 of the Constitution.

In the case of the United States, *ex relationi,* Noyes *vs.* Hatch, (*Noyes* vs. *Hatch,* Wis. Rep. 1842–3, p. 23,) it was decided that a "Canal Commissioner" was not a "civil officer;" and that the Register and other officers appointed for the disposal of the canal lands were not "civil officers," within the meaning of the constitution or the organic act.

In Maine, it has been decided that a person acting under the "discretionary regulation of the Governor," was not an officer within the meaning of their constitution; and may it not well be doubted whether a mere deputy, acting under the "discretionary regulation of the Postmaster General," is properly described as a "civil officer" within the meaning of our own constitution?

Judge Story, in his Commentaries on the Constitution, vol. II, sec. 789, says that the question as to who are "civil officers," within the meaning of the Constitution of the United States, "has not been settled."—(Story, on the Con., vol. 2, sec. 789.) With how much more propriety may it be said to be an "unsettled question" as to our own *newly adopted constitution.*

It has been decided that a Senator of the United States, and a member of the House of Representatives, was not a "civil officer" within the meaning of the Constitution of the United States.

And the weight of authority seems to be that mere deputies acting under the discretionary power and control of another, have not vested in them such a "portion of the sovereignty or municipal regulations, or the general interests of society," (Wis. Rep. 1842-3, p. 22,) as to bring them within the meaning of the expression "civil officer."

And it has been also decided that—

1. A Lazaretto physician; and Commissioners.—(*Lehman* vs. *Sutherland*, 5 S. & Rawle, p. 145.)

2. So the office of a "Commissioner exercising important and discretionary powers and judicial functions," and those "in the nature of a judicial office."—(*Judge Duncan in case Sheppard vs. Commonwealth*—1 S. & Rawle, p. 1.)

3. So "a Commissioner to sign Treasury notes."—(1 S. & Rawle, 10.)

4. So publishers of the laws of the United States, &c., have never been considered such officers as would exclude them from a seat in the State Legislatures, under provisions similar to that in our Constitution.—(17 Ib. 219.)

It may be that it was the intention of the framers of the Constitution to exclude Postmasters from a seat in the Legislature; but the question is—Have they done so?—(Con. sec. 13, art. 4.) Have they so expressed it that those who voted for its adoption, understood such to be its provisions? Or is it not rather a more just conclusion, in view of the doubts whether the term "civil officer" will apply to the office of Postmaster, (Ib. sec. 3, art. 13,) that the general exception of postmasters in sec. 3 of art. 13, was intended and understood to admit them to seats in the Legislature?

The phraseology in sec. 3 of art. 13, is fully equal to saying that "Postmasters *shall be eligible* to *any* office of trust, profit, or honor, in this State."—(Sec. 3, art. 13.) The most critical examination will fully and clearly authorize that construction of the section.

Shall it be said, then, that section 13 of article 4, in which the term "Postmaster" is *not named*, shall control, overrule and annul the express provision in sec. 3 of art. 13, that, "Postmasters *should be eligible* to *any* office of trust, profit, or honor, in this State," without exception?

Another very serious question that arises in this case, is this:

If we admit that the *implication* in section 13 of article 4, was intended and does apply to Postmasters, and overrules the *express provision* of section 3 in article 13, we may next inquire whether said provision was intended to exclude him *from an election*, or from a seat, if he continued to hold on to his office?

That the powers of the Constitution intended to make a distinction in regard to this matter, (sec. 6 & 13, art. 4,) is evident when we compare section 6 with section 13 of article 4. In section 6, the expression is "eligible to the Legislature;" and in section 13, it is "eligible *to a seat* in the Legislature." Now, although one definition of the word "eligible" is "legally qualified to be chosen," yet it is not the first definition given by Webster, nor the second; but it is the last mentioned; the first is "fit to be chosen—worthy of choice—preferable; the *second*, "suitable—proper—desirable." Now, it may be, that those who framed the Constitution, intended by the general expression, "civil officers," to say that it should not be "suitable" or "proper" for Postmasters to *take their seats* in the Legislature, without first resigning their offices; but if the provision was not intended to refer to their *taking their seats*, why should the expression, "to a seat," be used instead of, "to the Legislature," as in section 6? It is contended that the fair construction of section 13 of article 4, is, that the persons therein described—whoever it *may* include—shall not be capable of holding a seat in the Legislature, while holding the offices therein described; the only object being to prevent the officers of the General

Government, while they continued such, from taking part in our legislation, on the principle as expressed in debate by Gen. King, that "no man could serve two masters."—(Jour. of Convention, p. 212.)

It is believed that this honorable body will not in a doubtful case, disregard the wishes of the people of the First Senatorial District, by rejecting the individual of their choice, quietly, peaceably and fairly chosen to represent them in the Senate of the State of Wisconsin.

(B No. 3.)

STATE OF WISCONSIN, *ss:*

I, THOS. McHUGH, Secretary of said State, hereby certify, that it appears from the canvass of votes cast at the election held on Tuesday, the seventh day of November, 1848, in the First Senatorial District in said State, that for the office of Senator, Lemuel Goodell received nine hundred and sixty-four votes, Harry E. Eastman received six hundred and ninety votes, and David Giddings received one hundred and forty-one votes.

[L. S.] In witness whereof, I have hereunto set my hand and affixed the seal of the State of Wisconsin.

Done at Madison, this 27th day of January, A. D. 1849.

THOS. McHUGH,
Secretary of State.

(B No. 4.)

QUESTION PROPOUNDED TO THE HON. FREDERICK A. SPRAGUE, A MEMBER OF THE SENATE, TOGETHER WITH HIS ANSWER TO THE SAME.

Question: —

Do you know anything about Mr. Lemuel Goodell being Postmaster in the neighborhood in which he resides, before and at the time that he was elected Senator in the First Senatorial District? If so, state all you know about it.

Answer: —

Lemuel Goodell above named, admitted, in a conversation with me on the subject above referred to, that he held the office of Postmaster at the time of his election; but that he resigned the said office before taking his seat in the Senate.

F. A. SPRAGUE.

(B No. 5.)

QUESTION PROPOUNDED TO THE HON. OTIS W. NORTON, A MEMBER OF THE SENATE, TOGETHER WITH HIS ANSWER TO THE SAME.

Question:—

Do you know anything about Mr. Lemuel Goodell's being Postmaster in the neighborhood in which he resides, before and at the time that he was elected Senator in the First Senatorial District? If so, state all you know about it.

Answer:—

Witness says that in a conversation here with Lemuel Goodell during the present session of the Legislature, the said Goodell admitted that he held the office of Postmaster at the time of his election to the Senate. And further, he, the said Lemuel Goodell, states that he resigned the said office since his election to the Senate, and before taking his seat in the Senate.

O. W. NORTON.

(B No. 6.)

REPORT OF COMMITTEE ON PRIVILEGES AND ELECTIONS ON PETITION OF H. E. EASTMAN, CONTESTANT FOR THE SEAT OF L. GOODELL.

The Committee on Privileges and Elections, to whom was referred the petition of H. Eugene Eastman, contesting the seat of Hon. Lemuel Goodell, the now sitting member as representative from the First Senatorial District in this State—together with the response of the said Goodell, and all other papers and evidences in relation to who is of right entitled to said seat in this body—have had the same under consideration, and having given the whole matter a close and patient investigation, and having heard all the proofs of the parties, have instructed us to

REPORT:

That the committee are satisfied that under the provisions of the Constitution, the seat now occupied by the said Lemuel Goodell should by this body be declared vacant; and that your committee are also of the opinion, that under the existing laws the said petitioner, H. Eugene Eastman, is not entitled to the seat so vacated.

Your committee would therefore respectfully recommend the passage of the following resolution:

Resolved, by the Senate, that the seat on this floor, now occupied by the Hon. Lemuel Goodell from the First Senatorial District of this State, be, and the same is hereby declared vacant.

A. BOTKIN,
J. B. SMITH.

(B No. 7.)

REPORT OF THE JUDICIARY COMMITTEE IN THE CASE OF THE CONTESTED SEAT OF HON. L. GOODELL.

The Judiciary Committee, in the matter of the petition of H. E. Eastman to declare Lemuel Goodell (a member of this body) disqualified to hold his seat, and to allow the petitioner to occupy the seat of the said Goodell, respectfully

REPORT:—

That on the second Tuesday of November, A. D. 1848, at the election for State officers, the following votes were cast in the First Senatorial District for the office of State Senator, to wit:

For Lemuel Goodell	964
H. E. Eastman	690
David Giddings	141

That the above were all the votes cast in said district; that at the time the said Lemuel Goodell so received the above number of votes, he was a duly commissioned and acting deputy postmaster, under the Post Office Department of the United States; that he held his said office of Deputy Postmaster in Calumet county in this State; that after his election, and before presenting his credentials to this honorable body and claiming his seat as a member, he resigned the office of Deputy Postmaster and received a proper and legal certificate of his election from the Secretary of State, and on the tenth day of January, A. D. 1849, was duly sworn and installed as a member of this body; that on the 13th day of January, 1849, H. E. Eastman presented his petition for a seat in this body in place of the Hon. Lemuel Goodell, which was referred to the committee on elections; that on a subsequent day, the said petition was referred to the committee on the judiciary.

The Judiciary Committee are of the opinion—

1st. That the petitioner, H. E. Eastman, was not duly elected, and is not legally entitled, to a seat in this body.

2d. That Lemuel Goodell was duly elected a member of this body, and is legally entitled to retain his seat on this floor. The committee, therefore, ask leave to present the following resolutions:

Resolved, That the Hon. Lemuel Goodell is legally entitled to retain the seat which he now occupies as a member of this body.

Resolved, That the petition of H. E. Eastman be, and the same is hereby denied.

M. M. COTHREN,
W. CHASE.

(C.)

LETTER OF THE SECRETARY OF STATE, AND DOCUMENT.

SECRETARY'S OFFICE,
Madison, January 16, 1849.

HON. JNO. E. HOLMES,
Lieutenant Governor, &c.:

SIR: I herewith have the honor to transmit to the Legislature my first annual report as Secretary of State.

I am, with great respect,
Your obedient servant,
THOS. McHUGH,
Secretary of State.

REPORT OF THE SECRETARY OF STATE.

SECRETARY'S OFFICE,
Madison, January 16, 1849.

To the Senate and Assembly of the State of Wisconsin:

The first section of article 2, of "an act prescribing the powers and duties of the Secretary of State," declares "that it shall be the duty of the Secretary of State, to exhibit to the Legislature at its annual meeting a complete statement of the funds of the State, of its revenues and of the public expenditures during the preceding year, with a detailed estimate of the expenditures to be defrayed from the Treasury for the ensuing year, specifying therein each object of expenditure, and distinguishing between such as are provided for by permanent or temporary appropriations, and such as require to be provided for by law, and showing the means from which such expenditures are to be defrayed."

There is as yet no State fund; the only source of revenue being the tax levied in the several counties.

The amount of State tax levied for the year ending December 31, 1848, amounts to $58,695 00.

It appears, however, from the returns of the assessment in the counties of Washington, Portage, Rock, Calumet and Dodge, that the State tax in those counties was levied only upon real estate, and that no separate assessment was made of merchandize and stock in incorporated companies.

Those counties are therefore only charged with the 4½ mill tax upon the assessed value of the real estate.

Should the Legislature make provisions at its present session for an equalization of the tax and the payment of the arrearage due from those counties for the last fiscal year, the revenue would be increased probably $2,000, which would make the whole revenue for the tax of 1848, $60,695.

The amount due from the several counties to the State for arrearage of Territorial revenue is $10,585 78, as appears from the books of the late Territorial Treasurer.

In the settlement with the county of Brown for the arrearage, it was discovered that in May, 1846, the sum of $264, had been paid over to the Territorial Treasurer, Mr. Larkin, for the tax of the previous year, which had not been credited to the county or accounted for by that officer to the Treasury by Mr. Larkin, and reduces the amount of arrearages to $10,321 78.

For a detailed statement of the tax and arrearage, see abstract marked F.

A resolution was passed by the Legislature at its last session, authorizing the Hon. M. C. Darling, our Representative in Congress, "to apply for and obtain from the Treasury Department the amount of money due on account of bonds and scrip, which were authorized by act of Congress of August, 1842, to be paid by the United States, and redeemed by the Territorial Treasurer."

Having no means of distinguishing between such as were authorized to be paid and those disallowed by the Department, I forwarded to Mr. Darling by mail, bonds and scrip amounting in the aggregate to $11,865 60. A detailed statement of the number and amount of this scrip will be found in abstract marked G.

A select committee of the Senate reported during the last session of Legislature, that the balance in the hands of the

Register and Receiver of the Milwaukee and Rock river canal lands, was [illegible] 37 61.

The above sums, together with the amount transferred by the late Territorial Treasurer to the State Treasurer, amount to $83,687 85, which constitutes the whole revenue of the State for the last fiscal year.

Since the qualification of the State Treasurer, and up to December 31, 1848, the expenditure amount to $37,402 35.

Appropriations have been made and warrants issued for the sum of $32,097 32, leaving $5,305 03, for which appropriation has yet to be made.

For a detailed statement of expenditure of last year, see abstracts A, B and C.

The estimated expenses of the State for the fiscal year, commencing January 1, 1849, as per abstracts marked D and E, is—

Provided for by permanent appropriation,	$13,450 00
Not provided for by permanent appropriation,	33,530 00
	$46,980 00

Besides the items of expenditure in abstract E, there is, I am informed, several hundreds of dollars of Territorial scrip yet unredeemed, but as there is no record to which I have access, to show the amount of this scrip issued or redeemed and cancelled, I am unable to estimate the amount.

The above, with such accounts of jailors for keeping State prisoners and the interest due upon the canal lands held by Mr. Doughty, comprise all the ordinary expenditures required for this year.

I received, on the 10th instant, from John White, late Register of the Milwaukee and Rock river canal lands, a record book of sales, record book of mortgages, and a book of plats, which were accompanied with a communication—a copy of which is hereto annexed, marked H.

All which is respectfully submitted.

THOS. McHUGH,
Secretary of State.

(A.)

ABSTRACT OF WARRANTS DRAWN UPON SIMEON MILLS, ACTING STATE TREASURER.

NO. OF WARRANTS.	TO WHOM ISSUED.	AMOUNT	WHEN ISSUED.	FOR WHAT GIVEN.
1	Each member of the Legislature $40 amounting in the aggregate to	$3,400	1848. June 29,	Per diem as members Sen. & Ass.
2	D. N. Johnson and H. G. Abbey, each $200	400	" "	Services as chief clerks.
3	John Mullanphy,	100	" "	Services as S.-at-arms of assembly
4	Lyman H. Seaver,	50	" "	Services as S.-at-arms of senate.
		$3,950		

NOTE.—The above warrants were cancelled by a committee of the last Legislature appointed to settle with the late Territorial Treasurer.

(B.)

ABSTRACT of warrants drawn upon appropriations made at the last session of the legislature upon the State Treasurer.

NO. OF WARRANT.	TO WHOM ISSUED.	AMOUNT.	WHEN ISSUED.	FOR WHAT GIVEN.
5	E. F. Herzberg,	$ 50	July 31,	Translating constitution.
6	David Holt,	435	August 1,	Postage for legislature.
7	W. H. & A. U. Wyman,	221 55	" 12	Printing.
8	Henry Adams,	155	" 21st	Per diem as member of assembly.
9	David Agry,	155	" "	" "
10	Henry Allen,	155	" "	" "
11	G. F. A. Atherton,	155	" "	" "
12	C. Billinghurst,	155	" "	" "
13	A. P. Blakeslee,	155	" "	" "
14	Joseph Bond,	155	" "	" "
15	Joseph Bowron,	155	" "	" "
16	J. W. Brackett,	155	" "	" "
17	E. Brigham,	155	" "	" "
18	A. C. Brown,	155	" "	" "
19	Jedediah Brown,	155	" "	" "
20	W. W. Brown,	155	" "	" "

ABSTRACT—(Continued.)

NO. OF WARRANT.	TO WHOM ISSUED.	AMOUNT.	WHEN ISSUED.	FOR WHAT GIVEN.
21	J. M. Campbell,	155	August 21st	Per diem as member of assembly.
22	Robert C. Carey,	155	" "	" "
23	S. E. Chapman,	155	" "	" "
24	William Caldwell,	155	" "	" "
25	Horace Chase,	155	" "	" "
26	L. P. Crarey,	155	" "	" "
27	Prosper Cravath,	155	" "	" "
28	J. Dougherty,	155	" "	" "
29	Charles Doty,	155	" "	" "
30	E. Durgin,	155	" "	" "
31	Wales Emmons,	155	" "	" "
32	J. L. Gilbert,	155	" "	" "
33	J. Gillmore,	155	" "	" "
34	L. Goodell,	155	" "	" "
35	Gaylord Graves,	155	" "	" "
36	A. Greaulich,	155	" "	" "
37	E. D. Hall,	155	" "	" "
38	Chauncey Heath,	155	" "	" "
39	G. M. Humphrey,	155	" "	" "
40	Thomas Jenkins,	155	" "	" "

	Stephen Jones,	155	"	"	"	"
42	Milo Kelsey,	155	"	"	"	"
43	Joseph Kerr,	155	"	"	"	"
44	Hugh Long,	155	"	"	"	"
45	D. W. Maxon,	155	"	"	"	"
46	D. M'Donald,	155	"	"	"	"
47	L. Merrill,	155	"	"	"	"
48	B. H. Mooers,	155	"	"	"	"
49	Charles E. Morris,	155	"	"	"	"
50	Abner Nichols,	155	"	"	"	"
51	Archibald Nichols,	155	"	"	"	"
52	Delando Pratt,	155	"	"	"	"
53	Benjamin Randall,	155	"	"	"	"
54	E. D. Richardson,	155	"	"	"	"
55	H. B. Roberts,	155	"	"	"	"
56	D. Root,	155	"	"	"	"
57	S. H. Roys,	155	"	"	"	"
58	P. J. Shumway,	155	"	"	"	"
59	E. Slothower,	155	"	"	"	"
60	W. T. Sterling	155	"	"	"	"
61	Nathaniel Strong,	155	"	"	"	"
62	Andrew Sullivan,	155	"	"	"	"
63	Monroe Thompson,	155	"	"	"	"
64	Peter H. Turner,	155	"	"	"	"
65	A. B. Vaughn,	155	"	"	"	"
66	N. H. Virgin,	155	"	"	"	"

ABSTRACT—(Continued.)

NO. OF WARRANT.	TO WHOM ISSUED.	AMOUNT.	WHEN ISSUED.	FOR WHAT GIVEN.
67	H. M. Warner,	155	August 21st	Per diem as member of assembly.
68	D. K. Warren,	155	" "	" "
69	N. E. Whiteside,	155	" "	" "
70	Elias Woodworth,	155	" "	" "
71	A. W. Worth,	155	" "	" "
72	Edward Wunderly,	155	" "	" "
73	A. Zimmerman,	155	" "	" "
74	H. C. Hobart,	155	" "	" "
75	H. Merrill,	155	" "	Per diem as member of senate.
76	D. G. Fenton,	155	" "	" "
77	Warren Chase,	155	" "	" "
78	H. M. Billings,	155	" "	" "
79	George W. Lakin,	155	" "	" "
80	Thomas K. Gibson,	155	" "	" "
81	E. T. Gardner,	155	" "	" "
82	Simeon Mills,	155	" "	" "
83	William M. Dennis,	155	" "	" "
84	F. W. Horn,	155	" "	" "
85	M. B. Williams,	155	" "	" "
86	Joseph Turner	155	" "	" "

87	John W. Boyd,	155		"	"	" "
88	O. W. Norton,	155		"	"	" "
89	C. L. Sholes,	155		"	"	" "
90	Phil White,	155		"	"	" "
91	Asa Kinney,	155		"	"	" "
92	R. N. Messenger,	155		"	"	" "
93	John E. Holmes,	390		"	"	Per diem as lieutenant governor.
94	L. H. Seaver,	149		"	"	Per diem as serg't-at-arms in senate.
95	J. Murdock,	148	20	"	"	Writing for assembly.
96	H. Sines,	145		"	"	Writing for senate.
98	Robert L. Ream,	174		"	"	Writing for and drawing maps.
99	J. Mullanphy,	141		"	"	Per diem as serg't-at-arms, assembly.
100	T. A. P. Boyd,	145		"	"	Writing for assembly.
101	E. P. Lockhart,	145		"	"	Writing for senate.
102	S. Parkhurst,	42		"	"	Services as door-keeper to assembly.
103	Henry Starks,	53		"	"	Per diem as messenger to assembly.
104	N. E. Whiteside,	195		"	"	Per diem as speaker of assembly.
105	Thomas M'Glynn,	87		"	"	For sinking well in Capitol Park.
106	Beriah Brown,	99	50	"	"	Printing for state department.
107	Beriah Brown,	153	37	"	"	Print'g and publish'g constitution, &c.
108	Henry Mallo,	40		"	"	Messenger to senate
109	R. A. Bird,	994	47	"	"	Printing for legislature.
110	Ira W. Bird,	20		"	"	Writing for senate.
111	S. S. Kailler,	76		"	"	Keeping state convict.
112	Daniel M. Holt,	117		"	"	Services as assistant librarian.
113	Levi Booth,	99		"	"	Work done in and about the capitol.

ABSTRACT—(Continued.)

NO. OF WARRANTS.	TO WHOM ISSUED.	AMOUNT.	WHEN ISSUED.		FOR WHAT GIVEN.
114	J. W. Downing,	144	August	21st	Work in and about the capitol.
115	R. G. Spaulding,	60	"	"	Work in and about the capitol.
116	David Holt, Jr.,	876 51	"	"	Postage of legislature.
117	David Holt, Jr.,	11 98	"	"	Stationery for legislature.
118	Daniel Noble Johnson,	255 60	"	"	Services as chief clerk of assembly.
119	Joseph G. Knapp,	1269 40	"	"	Stationery for legislature, &c.
120	J. Gillett Knapp,	32 20	"	"	Salary as superintendent.
121	Charles Lord,	50	"	"	Services as chaplain.
122	Simeon Mills,	100	"	"	Salary as treasurer.
123	A. V. Fryer,	265 20	"	22	Writing for legislature.
124	John Penman,	50	"	"	Services as chaplain.
125	H. G. Abbey,	50	"	"	Preparing journal for publica'n &c.
126	H. G. Abbey,	262	"	"	Services as chief clerk of senate.
127	H. G. Abbey,	25	"	"	For clerk hire to senate,
128	H. G. Abbey,	3	"	"	Stationery for senate.
129	Eli Sperry,	62 50	"	"	Cushions for capitol.
130	S. L. Rood,	35 50	"	"	Books for state department.
131	Leach & Springer,	8	"	"	Furnishing papers to legislature.
132	Tenney & Smith,	1450 20	"	"	Printing for legislature.

133	Larkin Meadows,	28		"	23	Work done in library.
134	H. W. Read,	50		"	26	Services as chaplain.
135	N. S. Emmons,	1	50	"	28	Well bucket.
136	L. F. Kellogg	10		"	29	Services chief clerk pro tem of senate
137	Wallace Mygatt,	34		"	31	Publishing constitution.
139	William R. Smith,	39	50	Sept.	25	Salary as adjutant general.
140	J. C. Fairchild,	252	05	"	30	First quarters salary a state treasurer.
141	James S. Brown,	252	05	"	"	First quarters salary as att'y general.
143	Charles H. Larabee,	139	70	October	13	Salary as judge.
144	Nelson Dewey,	397	26	"	14	Salary as governor.
145	Levi Hubbell	139	70	Decem'r	11	Salary as judge.
146	J. W. Ostrander,	10		"	12	Territorial scrip No. 437, surrend'd.
147	Dean & Co.,	26	44	"	19	Articles furnished for capitol.
148	E. V. Whiton,	139	70	"	"	Salary as judge.
149	J. T. Wilson,	8	16	"	25	Blacksmithing.
150	D. Clark,	4	75	"	29	Lumber, &c.
151	Nelson Dewey,	312	25	"	30	Salary as governor.
152	Levi Hubbell	275		"	"	Salary as judge.
153	J. C. Fairchild,	202	19	"	"	Salary as treasurer.
154	J. Gillet Knapp,	75		"	"	Salary as superintendent.
155	E. V. Whiton,	395		"	"	Salary as judge.
156	Charles H. Larrabee,	375		"	"	Salary as judge.
157	A. W. Stow,	375		"	"	Salary as judge.
158	M. M. Jackson,	375		"	"	Salary as judge.
159	A. W. Stow,	139	70	"	"	Salary as judge.

ABSTRACT—(Continued.)

NO. OF WARRANT.	TO WHOM ISSUED.	AMOUNT.	WHEN ISSUED.	FOR WHAT GIVEN.
160	M. M. Jackson,....................	139 70	Decem'r 30	Salary as judge.
161	James S. Brown, ...	202 19	" "	Salary as attorney general,
162	Cramer & Curtis, ...	15 30	" "	Newspapers.
		32,097 32		

(C.)

STATEMENT of expenses during the fiscal year ending January 1*st*, 1849, *for the payment of which no provision has been made.*

Stationery for state officers,	$591	00
Seymour & Varney, for sundries,	76	91
Smith & Treadway, carpet, &c.,	140	83
Dean & Co., stoves,	89	73
H. C. Parker, desks, &c.,	40	50
J. T. Wilson, smithing,	20	40
J. Helpin, labor in and about capitol,	85	00
Robinson, painting, &c.,	52	00
Per diem of commissioners to locate lands,	2,000	00
Postage of secretary of state,	100	00
Cleaning sec'y's office, removing county desks, &c.,	15	00
Desk, &c. for treasurer's office,	30	00
Per diem pay of revisors, &c.	1,088	66
Water closet, amount as reported by superintendent,	825	00
Fitting up court room by direction of Judge Hubbel, estimated,	150	00
	$5,305	03

(D.)

STATEMENT of expenses of the State for the year commencing Jan. 1, 1849, for which permanet appropriations have been made.

Salary of	Governor,	$1250	0
"	Secretary of State and for clerk hire,	1200	00
"	Treasurer,	800	00
"	Attorney General,	800	00
"	Superintendent of Public Instruction,	1000	00
"	Five Judges, 1500 each,	7500	00
"	Superintendent of public Property,	300	00
Contingent expenses of Executive Department,		600	00
		$13,450	00

(E.)

ESTIMATE of the expenses of the State for the fiscal year commencing January 1, 1849, *for which no permanent appropriation has been made.*

Salary of adjutant general,	$150	00
LEGISLATIVE.		
Per diem of members of the legislature (for 60 days)	12,750	00
Mileage,	1,000	00
Per diem of officers, including lieutenant governor and speaker,	2950	00
For incidental printing, and for the journals, laws, and for the state departments,	5,500	00
Postage of the legislature,	1,350	00
Stationery for members and clerks fixed by law,	475	00
Oil and candles for the legislature,	200	00
EXECUTIVE DEPARTMENT.		
Stationery and lights,	100	00
STATE DEPARTMENT.		
Stationery and blank books,	100	00
Postage,	125	00
Lights,	30	00
TREASURY DEPARTMENT.		
Stationery and lights,	50	00
Postage,	10	00
Per diem of revisors, &c.,	3000	00
" " commissioners to locate public lands,	3000	00
Repairs on the capitol and fitting up court room,	1800	00
Wages of man to work about capital 1 year,	240	00
	$32,630	
Stationery, &c, for supreme court,	100	00
Edward H. Rudd for seals, as per act of last session,	800	00
	$33,530	00

(F.)

STATEMENT of the amount of revenue due the state from the several counties for the fiscal year ending January 1st, 1849, *and for the arrearage of territorial revenue.*

COUNTY.	AVERAGE OF TER'L. TAX.	STATE TAX FOR 1848
Crawford	178 01	266 23
Iowa	1137 86	2218 96
Winnebago	205 39	1163 45
Walworth		4686 43
Grant	1 00	4201 00
Washington *	278 01	2452 45
Fond du Lac	6 72	2442 85
Jefferson	631 26	2088 49
Sheboygan	500 31	2298 69
Marquette	4 99	1279 67
Dane		3460 22
Waukesha		2834 39
Green	267 02	1254 01
Milwaukee	1347 03	7207 57
Lafayette	319 81	2747 05
Portage†	209 14	67 86
Columbia	4 57	1114 30
Manitowoc	406 77	1247 29
Rock†	11 26	5417 00
Sauk	58 11	471 00
St. Croix	43 61	182 25
Brown	797 82	1525 60
Calumet†	250 32	797 59
Dodge †	1483 85	2438 37
Racine	2442 92	4832 18
	$10,585 78	$58,695 00

Total, $69,280 78.

---

*In this county no separate assessment of merchandise or stock was made, and the tax only levied on real estate.

†Same assessment as in Washington county.

RECAPITULATION.

REVENUE.

Arrearage of territorial revenue,	$10,585 78
State tax for 1848,	57,169 40
Amount transferred by the late territorial treasurer to the state treasurer, cash,	765 06
Iowa county orders,	300 00
Amount in the hands of the register and receiver of the Milwaukee and Rock River canal lands as reported by the select committee of the legislature,	14,867 61
	$83,687 85

EXPENDITURES.

Warrants drawn on the treasurer during the fiscal year ending December 31st, 1848,	$32,097 32
Expenses during the same year for which no appropriation has been made,	5,305 03
Estimated expenses of fiscal year commencing Jan. 1st, 1849.	46,980 00
	$84,382 35

(G.)

ABSTRACT of scrip forwarded to Hon. M. C. Darling from secretary's office.

TO WHOM PAYABLE.	NO. OF BILLS.	AMOUNT.
Geo. Beatty,	1	5 00
H. Reed,	1	5 00
Charles H. Larkin,	1	5 00
J. A. Noonan,	1	7 00
Thos. E. Parmele,	1	12 00
John V. Sydam,	1	5 00
J. Donelson,	1	5 00
Alonzo Platt,	1	7 00
J. Maxwell,	1	50 00
G. P. Delaplaine,	1	5 00
R. L. Ream,	1	5 00
J. T. Wilson,	1	5 00
Wm. G. Vanbergen,	1	50 00
J. E. Arnold,	1	5 00
David Wilder,	1	10 00
J. H. Tweedy,	1	5 00
A. R. Clark,	1	5 00
Clark & Jones,	1	5 00
Gratiot & Child,	1	10 00
Elisha Starr,	1	5 00
T. J. Emmerson,	1	10 00
Stephen B. Thrasher,	1	10 00
Wm. S. Derring,	1	10 00
Cady & Farwell,	1	8 31
John Hacket,	1	5 00
B. W. Bronson,	1	10 00
John Graham,	2	10 00
Wm. T. Sterling,	3	25 00
John H. Rountree,	2	15 00
James Tripp,	4	140 00
C. J. Learnard,	1	5 00
David Newland,	3	45 00
Alfred Brunson,	2	30 00
Charles E. Brown,	3	20 00
Morgan L. Martin,	2	15 00
David Bonham,	3	20 00
Wm. F. Shephard,	2	25 00

STATEMENT, *(Continued.)*

TO WHOM PAYABLE.	NO. OF BILLS.	AMOUNT.	
James Morrison,	3	15	00
George Hyer,	2	20	00
Thos. L. Franks,	2	15	00
J. F. Potter,	2	15	00
R. Bird,	2	10	00
G. L. Sholes,	2	20	00
N. Smith,	3	20	00
S. F. Gale,	13	350	00
D. R. Burt,	2	10	00
Wm. D. Daggett,	7	55	00
B. W, Finch,	6	45	00
A. G. Ellis,	3	15	00
Bavid Brigham,	8	60	00
John Catlin,	2	15	00
J. Sutherland,	14	87	00
Wm. W. Wyman,	20	180	00
Charles C. Sholes,	36	340	00
Almon Lull,	5	30	00
A. P. Field, Sec'y Wis. Terr'y,	66	750	00
Thos. J. Morman,	3	25	00
		2,691,	31

From Secretary's Office.			From Treasurer' Office.	
NO.	AMOUNT.	TO WHOM PAYABLE.	NO. OF BILLS.	AMOUNT.
1	150 00	Charles C. Sholes,	203	$3421 00
2	632 11½	William D. Daggett,	64	618 34
7	150 00	John F. Meade,	12	270 00
25	18 25	Lorenzo Janes,	23	261 00
57	126 00	Catharine Arndt,	4	204 00
58	85 00	B. Phelps,	29	195 00
64	12 60	John T. Potter,	10	195 00
82	9 00	James Morrison,	38	193 19
94	150 00	W. T. Denning,	11	155 00
95	287 24	D. A. J. Upham,	19	248 50
96	70	John Graham,	17	160 00
97	2	Yates Scoville,	12	145 00
98	18 88	T. J. Emmerson,	6	116 00
99	4	Harrison Reed,	6	75 00
—	7	George Hyer,	8	55 00
3	500	W. Mygatt,	5	25 00
4	20 13	J. A. Hibbard,	2	15 50
14	50	Henry O. Sholes,	1	10 00
16	125 55	L. F. Kellogg,	2	10 00
17	15	Chas. S. Peaslee,	1	8 00
49	5	Simeon Mills,	1	5 00
52	84			
55	200			
87	48			
473	10			
	$779 76½			$6394 53

Total, $9174 29½

(H.)

To the Hon. Thomas McHugh,
Secretary of the State of Wisconsin:

Sir—I have the honor herewith to transmit and deposit in your office in pursuance of the 6th section of the act of the Territory of Wisconsin, approved March 11th, 1848, all the Books, Platts, Mortgages, Records and Documents, belonging to my office, and in my possession as Register of Canal Lands, together with a statement showing the description and quality of the unsold Lands in said act mentioned, as far as the same are known to me.

I have no mortgage in my possession, the same being in the hands of the receiver.

With respect to the quality of the unsold lands, I have only general information, and from that am of the opinion the unsold lands will mostly sell for one dollar and twenty-five cents per acre.

I have provided a record book and prepared and transcribed them with much pains and labor, an accurate statement and registry of all the lands sold under the provisions of the several acts providing for the sale of Canal Lands beginning with the year 1839, and ending in May, 1848.

The following is a list of the books, &c., sent herewith, first Record Book of sales, second Record Book of mortgages, third Book of platts.

I have no money belonging to the canal fund, and have never received any of the proceeds of sales of canal lands except my legal fees and expenses as charged.

Desiring fully and promptly to comply with the law, binding upon me as Register of canal lands,

I place the books and papers in your office, but I desire distinctly that they may remain there as a special deposit to be delivered over by you only to such competent legal authority as may be authorized to receive the same, and to be held by you for my protection, until my accounts for services and expenses shall have been audited and settled by such authority.

I have the honor to remain,

Your o'bt serv't,

JOHN WHITE,

Register of Canal Lands.

(D.)

HALE & CHAPMAN'S CONTRACT.

HALE & CHAPMAN WITH THE STATE OF WISCONSIN—STATIONERY CONTRACT.

Articles of agreement made and entered into this 13th day of September, A. D. 1848, *between* PHILITUS C. HALE *and* SILAS CHAPMAN, *parties of the first part, and* NELSON DEWEY, *Governor of the State of Wisconsin, acting in the premises by virtue of a law of said State, party of the second part, witnesseth:* —

The said Hale & Chapman, parties of the first part, covenant and agree to and with the said party of the second part, that they will, on or before the first day of November, A. D. 1848, deliver to the said party of the second part, at Madison, the several articles of stationery, &c., mentioned in the proposals hereto annexed, and that said articles shall be good, merchantable articles, and shall in all respects conform to the description given of said articles in the said proposal, and by the samples therein referred to. And the said party of the second part as Governor as aforesaid, covenants and agrees that said State of Wisconsin should pay to the said party of the first part the prices mentioned for said articles in the said proposal, out of moneys to be appropriated for that purpose by the Legislature of Wisconsin at some session hereafter to be holden.

(Signed) HALE & CHAPMAN.

We hereby agree to furnish the following bill of stationery to the State of Wisconsin at the following prices, as annexed to the articles mentioned below. We agree that the blank books shall be made from "Jessup's laid linen" paper, full bound with Russian bands all round, that the ruling and printing shall correspond with the patterns given, and that they shall be made in a workmanlike manner. We also agree to fill the whole bill in a manner corresponding to the order, if our terms are accepted.

One six quire medium book, lettered "State of Wisconsin Executive Department, Messages to the Legislature, Liber A," with an index in the fore part of the book ruled with a division line—at Eleven Dollars.

One six quire medium book, lettered "State of Wisconsin Executive Department, Letters to the United States and State Departments, Liber A," to be ruled and indexed as above—at Eleven Dollars.

One six quire medium book, lettered "State of Wisconsin Executive Department, Letters Military, Liber A," ruling and index as above—at Eleven Dollars.

One six quire medium book, lettered "State of Wisconsin Executive Department, Executive Record, Liber A," ruling and index as above—at Eleven Dollars.

One four quire medium book, lettered "State of Wisconsin Executive Department, Appointment of Notaries Public, Liber A," no index, ruling and binding as per pattern A—at Twelve Dollars.

One four quire medium book, lettered "State of [Wisconsin] Executive Department, Appointments of Commissioners in other States, Liber A," no index, ruling and heading as per pattern B—at Twelve Dollars.

One four quire medium book, lettered "State of Wisconsin Executive Department, Appointments of Miscellaneous Officers, Liber A," no index, ruling and heading as per pattern C—at Twelve Dollars.

One eight quire medium book, lettered "State of Wisconsin Executive Department, Appointments of Military Officers, Liber A," no index, ruling and heading as per pattern D—at Twenty-Two Dollars.

One eight quire medium book, lettered "State of Wisconsin Executive Department, Bills of Legislature acted upon, Liber A," no index, ruling and heading as per pattern E—at Twenty-Two Dollars.

One eight quire medium book, lettered "State of Wisconsin Executive Department, Schedule of Lands for Potosi Harbor, Milwaukee and Rock River Canal, Fox and Wisconsin River and Miscellaneous Lands, Liber A," no index, ruling and heading as per pattern F—at Twenty-Two Dollars.

One eight quire medium book, [lettered] "State of Wisconsin Journal of the Assembly, Vol. 2," no index, margin ruled on both sides—at Fourteen Dollars.

One eight quire medium book, lettered "State of Wisconsin Journal of the Senate, Vol. 2," no index, margin ruled on both sides—at Fourteen Dollars.

One eight quire medium book, lettered "State of Wisconsin Office of the Secretary of State Ledger, Liber A," with an index in the fore part, and ruled for double entry—at Fourteen Dollars.

One six quire medium book, lettered "State of Wisconsin Office of the Secretary of State Journal, Liber A," same size as Ledger, and ruled for double entry—at Eleven Dollars.

One eight quire medium book, lettered "State of Wisconsin Treasurer's Office Ledger, Liber A," ruled for double entry, with an index in the fore part of the book—at Fourteen Dollars.

One six quire medium book, lettered "State of Wisconsin Treasurer's Office Journal, Liber A," same size as Ledger—at Eleven Dollars.

One two quire medium book, lettered "State of Wisconsin Treasurer's Office Cash Book, Liber A," ruled with double columns for dollars and cents—at Five Dollars.

One eight quire medium book, lettered "State of Wisconsin Journal, Liber A, Supreme Court," with an index, ruled with a head-line but no cross lines—at Fourteen Dollars.

One six quire medium book, lettered "State of Wisconsin Supreme Court Docket, Liber A," with index, (see pattern G)—at Eighteen Dollars.

One four quire medium book, lettered "State of Wisconsin Supreme Court Orders, Liber A," with index—at Eight Dollars.

One three quire medium book, lettered "State of Wisconsin Supreme Court Roll of Attorneys," as per pattern H—at Ten Dollars.

Twelve half quire, [books] cap size, common bound, with blank label on the corner for calendars, (see pattern I)—at Twenty-Five Cents each.

Ten reams "Jessup's super laid linen letter paper"—at Five Dollars per ream.

Five reams "Jessup's second quality laid half linen letter paper"—at Three Dollars and Seventy-Five Cents per ream.

Ten reams "Jessup's second quality laid half linen cap paper"—at Three Dollars and Eighty-Seven Cents per ream.

One ream "Buff bank envelope glazed cap paper"—at Five Dollars per ream.

Two reams heavy brown wrapping paper—at Four Dollars per ream.

One-half ream blotting paper—at Three Dollars and Fifty Cents per ream.

Five reams linen cap paper—at Five Dollars per ream.

Two reams double enrolling paper, ruled on one side, with no marginal lines, (*linen*)—at Fourteen Dollars per ream.

Four quires ennamelled Bristol board—at Three Dollars per quire.

Three thousand large colored envelopes—at Seven Dollars per thousand.

One thousand large dark buff envelopes—at Five Dollars per thousand.

Three thousand small white envelopes—at Four Dollars per thousand.

One-half thousand super opaque quills—at Twenty-Five Dollars per thousand.

Two gross red tapes—at Six Dollars per gross.

One-half gross blue ribbon, five-eighth in width—at Five Dollars and Seventy-Five Cents per half gross.

Five gross wafers for great seal—at Two Dollars per gross.

One dozen quart bottles super black ink—at Four Dollars per dozen.

One-third dozen small bottles super red ink—at One Dollar and Twenty-Five Cents per dozen.

One dozen sand boxes, common size—at One Dollar and Seventy-Five Cents per dozen.

One dozen sand boxes, large size—at Three Dollars per dozen.

Two-thirds of a dozen ivory paper folders—at Three Dollars and Fifty Cents per dozen.

One dozen ink stands, small size, metal—at One Dollar and Twenty-five Cents per dozen.

One dozen ink stands, large size—two-thirds at Seven Dollar and Fifty Cents, and one-third at Four Dollars and Fifty Cents per dozen.

Six dozen papers writing sand—at Eighty Cents per dozen.

One dozen candlesticks—at Six Dollars and Ninety Cents per dozen.

Ten pounds best quality sealing wax—at One Dollar and Twenty-Five Cents per pound.

Three pounds common wafers—at Eighty Cents per pound.

Eight good flat rulers, *lignum vitæ*—at Thirty-Seven and a Half Cents each.

Six balls twine—at Twenty-Five Cents each.

One-third dozen Gillett's nibs—at One Dollar and Twenty-Five Cents per gross.

One-third dozen boxes burrel nibs—at Thirty-One Cents each.

(Signed) **HALE & CHAPMAN.**

MAJORITY AND MINORITY REPORTS OF THE COMMITTEE ON PUBLIC LANDS.

(E.)

ON PUBLIC LANDS.

The committee on Public Lands to whom was referred so much of the Governor's message as relates to "the present manner of disposing of the National Domain in unlimited quantities," would respectfully

REPORT:

That they have given the subject due consideration, and are fully aware that great injustice is done to the new settlements and settles in the western States and Territories, by the disposal of Government Lands to speculators and non-residents; and they are fully aware that some action should be immediately taken by Congress to put a stop to the speculation and traffic in public lands. And your committee also believe that no title should be retained by the general government to lands lying in any State, but that all lands lying in any State, should be ceded to the State in which they lie, with such restrictions to their disposal by the State as may be deemed necessary to secure the rights of all the people of the nation.

Your committee would therefore recommend the passage of joint resolutions in accordance with the views of his Excellency requesting Congress to restrict the sale of Public Lands to actual settlers and in limited quantities; or to cede the same to the States with such restrictions.

WARREN CHASE,
C. LATHAM SHOLES.

REPORT.

A minority of the committee on Public Lands to whom was referred so much of the Governor's message as relates to the National Domain, beg leave to

REPORT:

That they have had the subject under consideretion, and greatly deplore the existing evil in the traffic of the public lands, because it shows that some men are rich while others are poor. How a community could exist on a system of equality, as far as property is concerned, your committee are not prepared to say. But if a land limitation is proposed to actual tillers of the soil, a limitation in goods, chattles and money would not be far out of the way. Your committee are in favor of the principle that the public lands should be sold to actual settlers only; but whether this principle can be carried out in practice, is very much doubted.. As to limiting the quantity of land that any one individual should hold, (being an actual settler,) your committee are opposed to, for the following reasons:

First. One farmer prefers to cultivate a forty acre lot, as his farm—while another has the idea that at least one section of land is necessary for him to follow the pursuit of farming.—The quantity of land that different individuals choose for farming purposes, is also in some measure, regulated and influenced by the number of children such individuals may have..

Your committee has been a settler in the western country for some twelve years, and has frequently met with some farmers from the older States, in possession of more land than at first view was necessary for their comfort; but upon inquiry, the answer was often returned that they had a larger family, chiefly of boys,—that they possessed in their native State only about eighty or one hundred acres, and could not give each of their children a piece of land,—that they all should like to live together; and for that purpose the father had bought enough that when his boys became of age to give each of them a piece of land in his neighborhood.

Second. It is against all principles of the rights of persons and the principles of free trade, to command any man who follows the pursuit of farming, to hold only so much land for that purpose and no more.

This would be equal to the passage of laws prescribing what and how many tools a blacksmith should have—how many fires he should keep in his shop, or how many workmen he should employ—or to limiting the stock of goods of a merchant.

Third. In the course of human events some individual might inherit a piece of land from a relation, but he having already his quota allowed to him by law, what shall be done with his inheritance? Shall it be given to a more distant relative (if any there are) who have no land, or shall it escheat to the State, or shall each individual be forced to sell it merely because he has a farm already?

Fourth. The passage of such laws would greatly hinder the the enterprise of industrious farmers. To illustrate this, your committee will suppose the following case; A poor, industrious man can but purchase a forty acre lot. By dint of industry and perseverence he is enabled to purchase an adjoining forty acre lot, which would greatly enhance the value of his farm, and give a new spring to his industry. If the law is, however, such that he can but hold forty acres, he consequently would care but very little whether he should lay back his hard earnings or not, knowing that he could not get beyond his forty acre lot. These and various other reasons have induced your committee to pronounce the plan of land limitation as visionary and chiefly gotten up by men whose better judgment has been carried away by an excessive developement of the organ of Philanthropy and by the overflowing of the milk of human kinness. Your committee however would be glad if some plan could be devised by which the public lands would be kept free from the avaricious grasp of speculators, and that the same should only be sold to actual settlers; but your committee must confess that they are at a perfect loss how such a plan could be accomplished. Suppose a law to that effect should be passed by Congress, under the operation of which some two or three townships were taken up by actual settlers. In the course of a few years several of the owners should die, their heirs did not like the pursuit of farming, the estates were in debt, and must be sold, actual settlers could not be had to buy them except by a great sacrifice on the price, but some one else who, however, does not choose to live on the farm will buy it at a fair rate; what will become of the actual settler system? Another portion of these settlers getting tired of the pursuit of farming, leave their farms or the improvements just commenced. The question now is, shall they lose their land, having entered the same in good faith, because they have changed their mind as to the pursuit they wish to follow? You may exclude speculators from first entering the public lands, but they will certainly have it second handed. These and various other reasons have induced your committee to say, that they are unable to suggest a plan to exclude speculators from the public lands or rather to suggest the means of hindering one man from getting more than his neighbors.

All of which is respectfully submitted.

F. W. HORN.

(F.)

ON THE PETITION OF JACOB LYBRAND, AND OTHERS.

The Committee on Public Lands, to whom was referred the petition of Jacob Lybrand and others, would respectfully report that they have had the same under consideration, and respectfully submit the following

REPORT:

1st. Your committee are not aware that the State has any funds, and if it had, they would belong to all the people.

2d. If the State has any title to land or village lots it ought not to have; as the land by natural rights, and as the gift of God, belongs to the people, and if any government claims a title, to the exclusion of any portion of the people, such title is an assumed one and held by might and not by right.

3d. They believe it is not the duty of government to give to each or any of the people, or to take unjustly from them; but, to secure to every person, first, his or her natural rights—and second, his or her acquired rights, which includes the right to have, and to hold, and to dispose of at option, all or any property created by human skill or labor, and acquired by honest means; but your committee do not recognize the earth in its natural and unimproved state as such, nor do they recognize property in the earth.

Your committee would further recommend your petitioners to join the National Reformers, and assist the poor in voting themselves farms out of the public domain, and thereby, by an honest and honorable course, aid in bringing about the result sought in the petition.

They would further recommend to them to seek for the causes of poverty, and by striving to remove them, to effect a permanent cure of the evil.

W. CHASE,
C. LATHAM SHOLES.

REPORT.

A minority of the Committee to whom was referred the petition of Jacob Lybrand and others, praying that the State should provide for every man who had no homestead, by giving him, at his option, either forty acres of land or one-quarter of an acre in any recorded town, village, or city plat, beg leave to

REPORT:

That your committee had the matter referred to them under serious considerations, and are of the unanimous opinion that the petition is a very modest one and ought to be granted, and your committee cannot help expressing a surprise, that said petitioners did not pray this Legislature at the same time for the passage of an act, that all negroes within the State, in the Territories now free, and in the District of Columbia, (as soon as slavery is abolished there,) should be whitewashed.

All of which is respectfully submitted.

F. W. HORN.

(G.)

REPORT ON SCHOOL AND UNIVERSITY LANDS.

SECRETARY'S OFFICE,
Madison, January 14, 1849.

HON. JNO. E. HOLMES,
Lieutenant Governor, &c:

SIR: Herewith I have the honor to transmit to the Legislature an abstract of the appraisal of the school and university lands in the several counties in this State, as far as the same has been received at this office.

With great respect,
Your obedient servant,
THOS. McHUGH,
Secretary of State.

SECRETARY'S OFFICE,
Madison, January 24, 1849.

To the Legislature of the State of Wisconsin:

The undersigned, in accordance with the provisions of section 9, of "an act providing for the appraisal and subdivision of the school and university lands," has the honor to

REPORT:

That immediately after the election of the appraisers, he notified them of their election, as soon as their acceptance was received, the necessary instructions, together with a copy of the law, was forwarded to them. Owing, however, to the bad state of the roads during the last fall, and the consequent delay in the transmission of letters, many of the appraisers did not receive their instructions until a very late day. This, together with the inclemency of the weather, prevented many of them from reporting what progress they had made in the work by the time required by law. Even now the appraisers have not all made their returns.

I have delayed my report thus long, expecting that I might be able to give an abstract from every surveyed county within the State. The law requires that the Secretary of State should report in detail the appraisals, description, and subdivision within the several towns.

More than one-half of the appraisal returns have been made since the Legislature convened, and it is impossible to make the report required by the law in a shorter time than three weeks. Hence the form of the abstract herewith forwarded.

No return of the appraisal of the unsold canal lands has as yet been made, in consequence of the appraisers not being able obtain of the late Register or Receiver a list of the lands.

In some of the counties where no surveyor had been appointed upon the board of appraisers, in order to carry out the provisions of the law, were compelled to employ *one*, and in some instances packers *were required* to carry provisions for the appraisers and surveyor. As there is some doubt whether the boards of supervisors in these counties can allow the account upon the certificate of the appraisers, I would respectfully suggest that some provision be made for the payment of the expense.

As the returns of the appraisers are to be the record of the quality, quantity and location of these lands and the only one to which reference can be had at the time of sale, and as the returns are in almost as many various forms as there were appraisers, a set of books should be obtained for this office in which to make a uniform plat of the lands together with the description of the quantity, quality, location and general advantages, with such other descriptions as may be returned by the appraisers, and that the undersigned be authorized to employ some competent person for that purpose.

At the last session of the Legislature appraisers were appointed in some of the remote counties, which have not yet been surveyed, and others which are partially surveyed. The appraisers in these counties have accepted their appointments, and in some instances have commenced the work. Herewith will be found a copy of a letter from Mr. Brunson relative to the school lands of Chippewa county, which I have thought proper to anex to this report.

The returns from the counties of Crawford, Dodge, Brown, Manitowoc, Grant, Richland, Columbia and Portage, show that the appraisers have not completed their labors. Some of these counties are only partially surveyed.

Should a complete return be received from all the counties during the present session of the Legislature a full and detailed abstract of the whole appraisal will be made and transmitted to the Senate.

With great respect, your ob't serv't,

THOS. McHUGH,

Secretary of State.

PRAIRIE DU CHIEN, December 15, 1848.

SIR: In compliance with the 7th section of the act providing for the appraisal and subdivision of the school and university lands, I respectfully submit the following statement:

The public lands in the county of Chippewa, are now being surveyed by the Government; to what extent, I am not definitely advised, but believe a very considerable portion of the county has not yet been subdivided into sections.

The county of Chippewa is ostensibly organized for county purposes, but no measures have been taken as yet to effect such organization; no officers have been elected, or if elected, have failed to qualify; so that the county orders, if any, which the appraiser would receive from the county for his services must necessarily be of little or no value.

There are but few settlements in the county of Chippewa, most of which will be abandoned upon the failure of the pine in their vicinity. A large portion of the county is uninviting to the agriculturist. The eastern part is occupied by Indians.

The State can expect to realize but little from the sale of school lands in this county for many years.

The only part of the county which will be likely to settle, lies along the Chippewa river from the falls to the mouth, and south and east in the direction of Black river. As soon as it is ascertained that this portion of the county is subdivided which will probably be early in the spring, I will proceed to appraise such as shall be so subdivided.

Respectfully yours,

IRA B. BRUNSON,

Appraiser of School and University Lands, Chippewa co.

HON. THOS. MCHUGH,
Secretary of State, Madison.

ABSTRACT of the Appraisal of the University Lands.

County.	No. of acres not claimed.	Appraised value.	No. of acres claimed or leased.	Appraised value.	Total value.	Apprais'd value of Improvements.
Rock	1,760	$ 8,988 50	160	$ 870	$ 9,858 50	$ 78
Sheboygan	480	1,760			1,760	
Washington	969 95-100	5,085 25	160	1,080	6,165 25	
Fond du Lac	1,200	1,010 20	80	180	1,190 20	100
Lafayette	6,427 87-100	8,905 05¼			8,905 04¼	
Racine	474 18-100	4,700	157 82-100	1,080	5,780	123
Jefferson	1,622 88-100	4,094 94	121 60-100	324	4,418 98	240
Dane	4,240	16,400	80	280	16,680 80	

Brown	320	880			880	
Iowa	2,332 92-100	6,472 30			6,472 30	
Columbia	502 82-100	1,581 72	38 72-100	135 52	1,717 24	150
Richland	2,463 19-100	5,532 64	177 04-100	401 12	5,933 76	1,335
Dodge	972 35-100	3,053 82	2,021 29-100	6,129 36	9,183 18	2,906 69
Winnebago	3,577 55-100	12,754 45	106 34-100	333 20	13,087 65	40
Walworth	1,119 46-100	6,358 16	159 77-100	777 24	7,135 40	105

ABSTRACT of the Appraisal of School Lands, as far as the same have been returned.

County.	No. of acres not claimed.	Appraised value.	No. of acres leased or claimed.	Appraised value.	Total appraised value.	Apprais'd value of improvements.	Cost of appraisal and subdivis. of school and university lands.
Rock	12,663 50-100	$73,783 73	40 50-100	$160 00	$73,943 73	$76 00	$695 80
Sheboygan	5,040	16,425 00	3,760	17,235 00	33,660 00		882 50
Washington,	11,528	55,235 00	886	5,355 00	60,590 00	409 50	432 00
Fond du Lac	13,979 76-100	40,006 80			40,006 80		403 00
Lafayette	8,640	24,530 00	960	3,875 00	28,405 00	11,360 00	285 00
Racine	5,141 27-100	29,027 00	5,614 21-100	151,717 01	180,744 01	99,594 00	858 26
Jefferson	7,188 80-100	22,777 77	2,044 89-100	8,651 53	31,429 30	1,784 00	672 40
Crawford	7,000	4,446 00	40	50 00	4,496 00	10 00	No ret'ns

Calumet	0,640	853 30			853 30		No ret'n.
Manitowoc	2,057 69-100	8,833 34¼	120	150 00	8,983 34¼	35 00	No ret'n.
Dane	21,600	71,160 00	160	400 00	71,560 00	58 00	565 00
Brown	2,231 50-100	4,958 42	213 37-100	483 49	5,441 91	820 00	272 50
Milwaukee	4,378 32-100	60,741 06	657 53-100	49,269 21	110,010 27	920 00	555 46
Iowa	12,567 08-100	31,544 60	443	1,860 00	33,404 60	3,275 00	No ret'n.
Columbia	6,052	12,531 23	40	100 00	12,631 23	94 60	204 83
Grant	19,007 62-100	35,392 71¼	628 50-100	2,382 00	37,774 71¼	5,560 00	595 50
Portage	4,529 21-100	4,122 13			4,122 13		112 60
Dodge	4,418 67-100	13,267 97	473 88-100	1,989 89	15,257 86	3 50	No ret'n.
Winnebago	7,084 75-100	18,136 61	439 06-100	1,753 42	19,890 03	175 00	327 56½
Walworth	8,358 08 100	52,275 35	1,745 10-100	15,139 06	67,414 31	2,393 00	359 00

(H.)

WASHINGTON COUNTY DOCUMENTS.

RESOLUTION

In relation to the vote on the county seat Washington County, (in Senate,) introduced by Mr. Horn, Jan. 11, and adopted Jan. 11; in Assembly, adopted Jan. 15, 1849.

Resolved, By the Senate, (the Assembly concurring,) That the communication from the Secretary of State and accompanying documents relating to the last vote on the County Seat of of Washington county, be referred to a joint select committee, consisting of the members of both branches of the Legislature from said county.

REPORT.

The Joint Select Committee consisting of the members of both branches of the Legislature from the county of Washington, to whom was referred the communication of the Secretary of State relating to the vote cast at the county seat election in said county, beg leave to report, as follows:

That the county seat of said county has been located by an act of the Legislature, approved January 25, 1847, for the term of five years, at the village of Port Washington, and that during the session of the last Legislature, An act was passed, leaving the permanent location of said seat of justice to a vote of the People of said county.

The act referred to, was approved August 8, 1848. Under the provisions of this act the people have had three several elections, the result of which will be found in the accompanying documents, marked A, B and C.

It will be perceived that at the second election, which was confined between the three places having had at the first election the highest number of votes; Port Washington was thrown out, and that under the provision of the act the last and final vote was to be taken between Cedarburg and West Bend. Cedarburg then received a majority of 450 votes over West Bend.

In accordance with this vote and the act referred to, your committee have drawn up and beg leave to introduce the accompanying bill, (see bill).

It will further be seen that two or three towns in the North East part of our county were undecided in their choice between the two places, and consequently cast blank votes.

The people of our county have thus early taken precautionary measures for the permanent location, for fear that the same game might be played in *permanently* locating the county seat as that which obtained the temporary location at Port Washington, when a law was at that time in existence leaving that question to a vote of the people. Your committee will further say that their constituents are in favor of having good and substantial buildings erected; but that the taxes would fall rather heavily upon them if the whole amount for building purposes should be raised at once. For this reason, and also that the contractors and laborers will be paid in cash instead of county orders, and by that means be enabled to do the work, as is supposed, nearly one third cheaper. The time for raising the taxes and finishing the buildings has been extended in the bill until the time when the temporary location of the county seat at Port Washington expires.

In conclusion your committee are constrained to say, that they have noticed with pain and regret, since the opening of the session, the untiring and persevering efforts of a strong lobby from our county to thwart the wishes of the people again. Our constituents rely upon the law and justice in this matter; they have sent us as their lobby, and by our presenting and urging the passage of the bill, we are confident of meeting with the hearty approval of the people of the different districts we have the honor to represent in this legislature.

All of which is respectfully submitted.

F. W. HORN,
P. TOLAND,
PETER TURCK,
JAMES FAGAN.

(DOCUMENT A.)

FFICIAL CANVASS, of the votes of Washington County, on the location of the County Seat:

	Port Washington	Cedarburg	Public Square West Bend	County Farm	Newark	Saukville	Newburg	N W ¼ of s e ¼ of sec 12, T 11, R 20	Scattering	Hartford	John Burn's tamarack Swamp
Belgium	273	00	00	00	00	00	00	00	0	0	0
Fredonia	84	00	00	00	00	00	11	00	0	0	0
Farmington	29	00	00	00	15	1	00	2	0	0	0
North Bend	00	00	19	00	35	00	00	00	0	0	0
Wayne	00	00	11	00	12	00	00	00	0	0	0
Addison	00	00	49	00	9	00	00	00	0	0	0
West Bend	00	00	42	00	56	00	00	00	1	0	0
Trenton	00	00	126	24	2	00	00	6	0	0	0
Saukville	00	00	1	00	00	80	00	1	0	0	0
Port Washington	288	00	00	00	00	00	00	00	0	0	0
Grafton	8	154	1	61	00	41	00	00	0	0	0
Jackson	00	64	6	35	00	1	00	00	0	0	6
Polk	00	11	67	00	13	00	00	00	0	0	0
Hartford	1	61	5	00	7	00	00	00	0	4	1
Erin	00	00	00	38	00	00	00	00	0	0	0
Richfield	00	80	2	2							
Germantown		146	8	12							
Mequon	11	187	00	13	00	00	00	00	0	0	0
	697	703	337	185	149	122	11	9	1	4	1

Office of the Clerk of the Board of Supervisors of Washington County:

We hereby certify the above to be a correct canvass of the returns of the votes cast on the 25th day of September last in the several towns in this county, on the location of the County Seat. Dated Port Washington, October 3d, 1848.

WILLIAM VOGENITS, Clerk.

By Henry Allen, Deputy.

The highest three places being Cedarburg, Port Washington, and West Bend, they will be the places to be voted for on Tuesday, the 7th day of November next.

JAMES FAGAN,
C. A. DECOUDRES,
Justices of the Peace.

(DOCUMENT B.)

OFFICIAL CANVASS of the second vote on the location of the County Seat of Washington County, Wis.

OFFICE OF THE CLERK OF THE BOARD OF SUPERVISORS.

I hereby certify the following to be a correct canvass of the votes polled on the location of the Seat of Justice of Washington County, Wis., Nov. 7, A. D. 1848, in the several towns in said county:

	West Bend.	Cedarburg.	Port Washington.
Belgium,*	00	00	83
Fredonia,	00	1	77
Farmington,	38	5	25
North Bend,	79	00	1
Wayne,	53	00	00
Port Washington,	00	00	290
Saukville,	9	8	76
Trenton,	63	1	4
West Bend,	219	5	4
Addison,	125	00	00
Grafton,	7	329	34
Jackson,	38	102	00
Polk,	137	40	00
Hartford,	146	2	1
Mequon,	00	228	43
Germantown,	59	143	2
Richfield,	60	80	00
Erin,	93	00	00
	1117	944	640

---

*In the town of Belgium, there were three polls held, one of which was rejected, being illegal, and there was no return of the county seat vote from one of the other polls. The entire vote of Belgium was 310 for Port Washington.

No place having received a majority over all the other places, a third election will be held pursuant to "An act to authorize the people of the county of Washington to take a vote on the permanent location of the Seat of Justice of said county," approved Aug. 8, 1848, on the first Monday (the first day) of January, 1849, at which election West Bend and Cedarburg will be the two places to be voted for, having received the greatest number of votes at the last election.

In testimony whereof, I have hereunto set my hand
L. S. and affixed the seal of the county this eighteenth
day of November, A. D. 1848.

WM. VOGENITS,
Clerk of the Board of Supervisors.

SECRETARY'S OFFICE,
Madison, January 11, 1849.

HON. JNO. E. HOLMES,
President of the Senate:

SIR: Herewith I have the honor to lay before the Legislature the vote cast in the county of Washington, on the first inst., relative to the location of the county seat of said county, as the same has been returned to this office.

With great respect,
Your obedient servant,
THOS. McHUGH,
Secretary of State.

(DOCUMENT C.)

OFFICIAL CANVASS of Washington County for the third Vote on County Seat of said County, of an Election held on the first day of January, A. D. 1849.

Name of Town.	Cedarsburg.	West Bend.	Neither place.	Scatter'g.
Port Washington,	00	1	256	00
Belgium,	00	00	504	1
Fredonia,	3	1	38	00
Saukville,	25	51	10	00
Farmington,	27	68	3	00
Trenton,	1	85	00	00
North Bend,	00	82	00	00
Newark,	7	39	8	00
West Bend,	00	246	00	00
Wayne,	00	72	00	00
Addison,	00	167	00	00
Hartford,	202	9	00	1
Erin,	49	24	00	00
Polk,	65	185	00	00
Richfield,	146	33	00	00
Jackson,	94	60	00	1
Germantown,	256	69	00	00
Grafton,	388	2	159	00
Mequon,	380	5	5	1
	1643	1193	986	4

We do hereby certify that the above is a correct canvass of the last County Seat election held on the first day of January, A. D. 1849.

JAMES FAGAN,
W. P. BARRAS,
Justices of the Peace and Board of canvassers.
WM. VOGENITS,
Clerk of the Board of Supervisors.

Port Washington, January 3, 1849.

OFFICE OF CLERK BOARD OF COUNTY SUPERVISORS,
Washington County, Wisconsin.

I, William Vogenits, Clerk of said Board, do hereby certify that the above is a correct copy of the original canvass of the third vote on County Seat of said county, held Jan. 1st, A. D. 1848.

L. S. In witness whereof I have hereunto set my hand and affixed the seal of said county, this third day of January, A. D. 1849.

WM. VOGENITS,
Clerk of said Board.

MINORITY REPORT.

The undersigned members of the Committee to whom was referred the official canvass of the vote of Washington county, on the question presented by a law passed July, 1848, entitled "An act to authorize the people of Washington county to take a vote on the permanent location of the seat of justice of said county," respectfully

REPORT:

That we deem any further proceeding under said act, as uncalled for and unconstitutional.

First: Because the canvass shows that no place has received "a majority of all the votes cast upon the question."

This of itself is conclusive as to the question presented to the people of our county; but as the matter is pressed upon the consideration of the Legislature, we cannot in justice to our constituents let it pass without entering into something like a review of the subject, and presenting the facts and figures bearing upon the case.

Washington county is comparatively newly settled—was organized for judicial purposes in 1845—its settlement has been by immigration via Milwaukee, which, as a natural consequence, occupied the southern portion first, and gave it a controlling influence over the whole affairs of the county. As the wave of immigration rolled onward, and new channels of communication were opened, the north presented equal inducements to the settler, and for the past two years the increase of population and improvement has been in a fourfold ratio over that of the south.

We have no doubt that in three years from this time, the north will hold an even balance with the south in point of population and improvements.

A glance at the late canvass will show that three townships in the south-east part of the county gave over one thousand votes for Cedarburg; and that only seven townships of the nineteen gave that place a majority; and all of those are situated in the southern tiers of townships, while every township in the two northern tiers voted against Cedarburg, together with three southern townships—making twelve townships against and seven for the location at Cedarburg. Of the whole territory of the county, more than two-thirds voted against Cedarburg, and this, too, under the operation of a law which gave to that place a large vote, which under the provisions of the Constitution would be opposed to a removal. In this connection we may speak of the position of Cedarburg in relation to the other portions of the county. The village lies some four miles from the east line of the county, and seven miles from the south line. It is about twenty-two miles from the west line, and seventeen miles from the north line. But as we conceive the whole matter to be disposed of upon other grounds, it is a work of supererogation to argue against any claims it may set up for the location of the County Seat on the score of convenience to the people of the county.

Second: As to the constitutionality of the law under which the vote was taken, we conceive there can be no doubt or question. The provisions of section 8, article 13, are too plain to be mistaken or misconstrued. The framers of that instrument had witnessed the evils growing out of a continued agitation of questions of this nature, and wisely limited the power of the Legislature over the subject, and pointed out the only manner in which the seat of justice can be removed. If this body confine themselves strictly within that provision, they will save the people from much unnecessary agitation, expense, and the corrupting influence which inevitably attend these frequent elections, where pecuniary considerations are alone involved.

The provision in the constitution is a guaranty to the people against hasty legislation. Whenever it is the wish of the people of any county to have their county seat removed, that wish will develope itself in a manner not to be mistaken; and until that event, legislation is uncalled for. We have had already expressed by the people of Washington county, that their interests do not require a removal of the seat of justice, and that any action at this time will be unsatisfactory. We say, unhesitatingly, that they do not desire a permanent location at this time; much preferring to wait until the people shall develope themselves and the county shall be more densely populated.

We would state that the expense to our county treasury alone, of the two special elections held under the law of July last, is not less than *twelve hundred dollars*. This of itself is an onerous burthen upon a new county, which should not be incurred but upon the strongest plea of necessity, and this should only be done upon the plainest principles of constitutional law, about which there could be neither doubt nor cavil. The law of July last did not so present the question. It gave rise to serious discussion as to how far any action of the people would be binding under it. The necessity of the case required no such equivocation as it proposed.

The attention of this Legislature is also called to an act of last session, page 173, which provides that notice shall be given of any proposed legislative action upon a question of this nature, before it can be moved in this body. This we think precludes any action upon the subject for the present.

Our desire to limit this report to the briefest space possible, consistent with its importance to our constituents, and its full understanding by the Legislature, induces us to confine ourselves to the points above set forth.

Your committee, however, for the purpose of indicating the manner in which votes were obtained for Cedarsburg at the late election, and to show the corruptive influences to which such elections are liable, beg leave to refer to the annexed affidavits, marked A and B.

Your committee, also, for the purpose of exhibiting the course of the Legislature heretofore upon this subject, and the constitutional question above alluded to, beg leave to refer to the annexed article, taken from the Washington County Eagle, marked (C,) the statements in which, your committee believe to be correct.

All of which is respectfully submitted.

SOLON JOHNSON,
CHANCEY M. PHELPS.

(I.)

REPORT OF COMMITTEE ON THE LEGISLATURE.

ON THE BUSINESS OF THE PRESENT SESSION.

The Joint Committee appointed to inquire into and ascertain what business it is necessary to act upon at the present session of the Legislature, and to report the most feasible plan of bringing such business before the two houses of the Legislature, respectfully

REPORT:

That they met on the evening of the 31st ultimo, and after canvassing the subject freely amongst themselves, they concluded to request the revisers to furnish them with their opinion upon the matter, and for that purpose the following resolution was passed by the committee, to wit:

Resolved, That the commissioners to revise the laws, be requested to inform this committee in writing, as early as convenient, what course they consider it best for the Legislature to take as to the revision of the laws.

On the evening of the 1st instant, your committee again met, and received the following communication from the revisers, namely:

MADISON, *February* 1, 1849.

To Hon. ASA KINNEY,

Chairman of the joint committee appointed by the Legislature to report in relation to the business necessary to be transacted during the present session.

In reply to a resolution adopted by your committee, requesting the commissioners appointed to revise the laws to give their opinion in relation to the course which should be pursued by the Legislature, as to the revision of the laws, the revisers would remark that they do not deem it within their province to offer any official advice as to the course of the Legislature should adopt. Our opinions, however, so far as they may be serviceable to your committee, will be cheerfully given. In our report made to the Legislature on the 18th ult., a general statement was given of the progress of our revision, and of the probable extent of our ability to report during the present session. From the statement then made it will appear that a report of the entire body of our laws cannot be expected at this session.

As to the action most expedient for the Legislature to adopt in reference to the revision, there seem to be three general plans which suggest themselves to us.

The first of these is to allow the commissioners to report for the action of the present Legislature, all the laws embraced in the first proposed division of the statutes, and authorize a compilation of the remainder, and a publication of the whole in one volume, at as early a day as practicable. In relation to this plan, there are strong reasons to commend it to the favorable notice of the Legislature.

There appears to be an urgent demand in many portions of the State for the publication of our existing laws with as little delay as possible.

Owing to the rapid increase of our population, the bound volumes of our statutes have for a number of years been extremely scarce, and probably no county in the State has a supply adequate to the wants of the people. The same deficiency in regard to our session laws, is also felt to be a serious embarrassment.

Before the close of the present session, the commissioners will be able to report for the action of the Legislature most of the laws, which are of more immediate importance to the people, and for the want of which they have been subjected to the greatest inconvenience. For the early revision and passage of these laws there exists a much greater necessity, than for the remainder of the statutes. The criminal laws, and those pertaining to real property, do not, in the opinion of the commissioners, demand many important changes, and their defects have been much less a matter of complaint than the administrative laws.

Should the Legislature therefore act upon the laws proposed to be submitted by the commissioners, during the present session, the remainder of the laws might be carefully compiled, arranged into chapters, and published in a volume with those which have been revised, with full index. By pursuing this course, the work might be advanced, and the laws placed in the hands of the people at an early day. Although this plan would not insure such a revision as might be desirable, yet it might serve the wants of the State, until the wishes of the people are more clearly indicated, as to what changes are demanded in our remedial laws.

The second plan suggested is, that the Legislature adjourn as soon as the business of the most pressing importance can be disposed of, and meet again in extra session some months hence, when the commissioners shall have finished the revision. This plan, if adopted, would secure a full revision upon the plan contemplated in the act creating the commission to revise the laws; but the policy of subjecting the State to the expense of an extra session may be justly questioned.

The third plan is, to allow so much of the report of the commissioners to be acted upon during the present session, as the Legislature deem advisable, and permit the remainder of the laws to be revised and reported at the next regular session. This course would give the State the benefit of a full completion of the work, and at a much less expense than the second plan proposed. But whether the existing necessity for the publication of the laws of the State, with as little delay as possible, as well as other considerations that might be named, will justify the protraction of the work to another year, will be for the Legislature to determine.

Each of the foregoing plans is entitled to consideration, and your committee will doubtless recommend such a course of policy as they deem the best interests of the State to demand.

The commissioners are aware that either of the methods they have suggested are liable to objection; but inasmuch as they have been called upon by your committee to express an opinion, they will say that the first plan named appears to them, under all the circumstances, to be the preferable one. Should, however, some other course of action be deemed more compatible with the interests of the State, the commissioners will cheerfully pursue such course in regard to the revision as the Legislature shall direct.

We have the honor to be,
Very respectfully,
Your ob't serv'ts,

M. FRANK,
C. M. BAKER,
C. S. JORDAN.

Your committee are fully aware of the importance of the subject referred to them. The revision of the statutes of any State, is at all times a most laborious, difficult, and responsible task. It is peculiarly difficult in our State, because our statutes have been selected from a variety of States, and have never as yet become harmonized into a system. In other States, where a complete revision has been made, it has generally occupied two or three years. The revisers have judiciously acted upon those points of our statutes which were most difficult to revise, which most needed revision, and the operation of which will be oftenest felt by our citizens. Your committee are gratified with the zeal and fidelity with which the revisers have prosecuted their labors, and are satisfied that they have finished as great a portion of the work, as would have been prudent for any men to have done, during the time which has been allowed to them. Although the revisers no not undertake to point out definitely what course the Legislature shall take, yet it is evident that they consider the first plan spoken of in their communication, as, under all the circumstances, the most desirable. Your committee unanimously concur in that opinion. The opinion of your committee as to the best plan of bringing the work before the the two houses of the Legislature, will sufficiently appear from the accompanying joint resolution.

All of which is respectfully submitted.

ASA KINNEY,
O. W. NORTON,
M. M. COTHREN,
Of the Senate.

J. B. CROSS,
W. H. THOMAS,
P. CRANDALL,
M. M. STRONG,
TIMOTHY BURNS,
SAM. D. HASTINGS,
Of the Assembly.

Resolved, by the Senate and Assembly, that the revision and compilation of the laws be completed at the present session of the Legislature.

That the commissioners appointed to revise the laws, be requested to complete the revision of that portion of the statutes which they had intended to report upon at the present session, and that they report the same to the Legislature as soon as convenient.

That said commissioners be requested, immediately after making such report, to collect and arrange all the general laws now in force in this State which have not been revised, and to suggest such amendments as may seem to them to be necessary.

That immediately upon the close of the present session, one of said commissioners, to be designated by them, be requested to superintend the printing, in book form, of all the general laws of this State, compare the proof-sheets thereof, and make a full and complete index thereto.

That, inasmuch as the revision and compilation of the laws is by far the most important work of the present session, the Senate and Assembly do devote the whole forenoon of each day, after the reading of the journal, to the consideration of the same, whenever any portion of it shall be in readiness to be acted upon, and that the general orders of the day be postponed to the afternoon session.

That the joint committee to whom was referred the reports of the revisers, be authorized to absent themselves from the afternoon sessions, and that they be requested to bring the work of the revisers before the Legislature as speedily as possible.

That the work of the revisers be acted upon in chapters as reported by them, and that the same be passed through the ordinary steps of legislation, and placed in the hands of the enrolling committee; but that said committee shall not present the same to the Governor for his signature until the whole shall have passed.

(K.)

SECRETARY OF STATE OF IOWA.

Secretary's Office, Iowa,
Iowa City, January 19th, 1849.

Sir: Accompanying this, please find a copy of a Memorial to the Legislature of the State of Wisconsin, which you will have the kindness to lay before the Senate of that State for their consideration.

I am Sir,
Very respectfully,
Your obedient serv't,
JOSIAH H. BONNEY,
Sec'y of State.

President of Senate, Wisconsin.

MEMORIAL TO THE LEGISLATURE OF THE STATE OF WISCONSIN.

Your Memorialists, the Senate and House of Representatives of the State of Iowa, being desirous of having a direct, speedy and safe route, at all seasons of the year, by land, between Dubuque and Milwaukee, a communication to Lake Michigan, of the proposed Railroad from Keokuk to Dubuque, for which road we have asked of Congress a donation of land to aid in its construction, would respectfully represent: that the construction of a railroad, from a point opposite the city of Dubuque, to Milwaukee, will be a link in the chain of railroad, from not only Keokuk, but Fort Des Moines, Council Bluffs and the intermediate points.

It is unnecessary for us to state the vast importance of such a road in a commercial point of view. The Lead trade alone, it is believed, would be sufficient to justify the undertaking, without taking into consideration the fact, that this road would open to the Lake trade the best portion of this State, and a direct communication with the Upper Missouri.

We therefore hope that your honorable body will, at your earliest convenience, take this subject under consideration, and adopt such measures as in your wisdom you may deem the most conducive to the object desired, viz: to secure the speedy construction of the proposed road.

Resolved, By the General Assembly of the State of Iowa, That the Secretary of State be requested to forward a copy of the foregoing Memorial to the President of the Senate, and one copy to the Speaker of the House of Representatives, of the Legislature of Wisconsin.

SMYLEY H. BONHAM,
Speaker of the House of Representatives.
JOHN J. SELMAN,
President of the Senate.

Approved, Jan. 15, 1849.

ANSEL BRIGGS.

(L.)

ROCK RIVER CANAL LANDS.

SECRETARY'S OFFICE,
Madison, February 17, 1849.

HON. JNO. E. HOLMES,
Lieutenant Governor, &c:

SIR: I have the honor herewith to transmit to the Senate an abstract showing the amount for which the mortgages recorded in the record book of the late Register of canal lands was given, together with the name of the mortgagor and the date of the mortgage.

With great respect,
Your obedient servant,
THOS. McHUGH,
Secretary of State.

ABSTRACT

Of unpaid Mortgages recorded in the Record Book kept by the Register of the Milwaukee and Rock River Canal Lands.

Date of Mortgage.	Name of Mortgagor.	Am't of Mort.
1839—July 2	James Sanderson	$161 87
	Joseph Tothier	180 00
	Wm. H. Skinner	360 00
	James Sanderson	360 00
	George A. Tiffany	360 00
	Joseph Williams	180 00
	J. R. Miller	360 00
	Andrew Douglass	300 00
	David A. Ramard	180 00
	James C. Howard	360 00
	Henry Shew	390 00
	John Mayhew	367 92
	J. C. Brant	460 00
	J. Carry	375 61
	Brigelow Case	482 81
	A. W. Hatchs	–
	John Craig	360 00
	H. W. Cowles	300 00
	Sanford Wheeler	360 00
	W. M. Mayhew	315 45
	J. Carry	360 00
	Samuel Brown	360 00
	David Brown	360 00
	Isaac Hoisington	360 00
	William T. Proutfit	390 00
	Emanuel Cawser	360 00
	Aaron B. Babcock	180 00
	Nathan Pollock	180 00

ABSTRACT—Continued.

Date of Mortgage.	Name of Mortgagor.	Am't of Mort.
1839—July 2	Horace B. Freeman	$360 00
	David Proudfit	360 00
	Tobias C. Osborn	360 00
	William O. Underwood	336 69
	William O. Underwood	360 00
	Charles Van Deeren	720 00
	Thomas B. Hart	360 00
	Charles Hart	360 00
	George D. Dousman	360 00
	Alanson Sweet	720 00
	Samuel Spring	360 00
	F. W. Hawley	360 00
	J. S. Hewett	360 00
	F. W. Hawley	360 00
	Henry C. West	360 00
	Benjamin E. Lynde	180 00
	Leland Crocker	360 00
	Samuel Sanborn	180 00
	Hiram Johnson	180 00
	Jesse Scholl	180 00
	Charles C. Brown	180 00
	Joseph Cowell	169 29
	Garretson Ver Cryck	351 81
	Joseph B. Fisher	360 00
	H. S. Smith	360 00
	H. S. Smith	180 00
	John V. Brown	360 00
	Charles E. Brown	180 00
	Jerome W. Chubbuck	180 00
	A. L. Castleman	360 00
	John Everts	360 00
	Lyman Wheeler	360 00

ABSTRACT—Continued.

Date of Mortgage.	Name of Mortgagor.	Am't of Mor.
1839—July 2	James Church	$180 00
	Benjamin S. Stimson	360 00
	Thomas C. Horner	741 26
	Hiram W. Blanchard	180 00
	Joseph L. Irwin	360 00
	John Potter	360 00
	Richard Short	345 01
	Garret Vleit	720 00
	Francis Bancroft	360 00
	William R. Hesk	720 00
	Abner Rowe	360 00
	Moses Fieldhouse	360 00
	Andrew Smith	180 00
	Edward L. Gridley	180 00
	William O. Underwood	360 00
	Edward L. Gridley	180 00
	Presley N. Reay	360 00
	Bendiah Barber	360 00
	David Bonham	360 00
	Edward Smith	720 00
	John Gately	336 06
	George Barber	360 00
	James Weaver	360 00
	Thomas C. Horner	360 00
	Waldo Rosebrook	715 5[illegible]
	Asa Clark	718 5[illegible]
	William Payne	720 00
	Timothy Clark	360 00
	Charles Bell	624 3[illegible]
	Josiah Moon	317 9[illegible]
	Augustus Barnett	318 6[illegible]

ABSTRACT—Continued.

Date of Mortgage.	Name of Mortgagor.	Am't of Mort.
1839—July 2	Joseph Ganthie	$ 360 00
	Hamilton Nelson	180 00
	James O'Hara	360 00
	Benjamin Love	180 00
July 3	Ralph B. Allen	180 00
	Stephen Allen	180 00
	Silvanus Warren	180 00
	Ira Morris	729 54
	Henry A. Clark	180 00
	Edward Purmain	720 00
	Benjamin Church	372 51
	Alonzo Cushing	617 22
	Henry Skinner	618 75
	George Paddock	637 42
	David Finley	663 63
	Mayor Pratt	360 00
	Charles N. Hegner	324 99
	Howard Stansbury	679 05
	Andrew Baxter	360 00
	Ornlow Brown	360 00
	Jonas Falts	490 50
	Morris F. Foster	720 00
	Samuel Sanborn	180 00
	Samuel Sanborn	85 50
	Byron S. Sanborn	270 22
	Richard Hardell	270 00
	Delos W. Taft	696 26
	Alanson Sweet and Elisha W. Edgerton	720 00
	Seth Reed	270 00
	Erastus J. Putnam	360 00

ABSTRACT—Continued.

Date of Mortgage.	Name of Mortgagor.	Am't of Mort.
1839—July 3	Curtis B. Brown	$360 00
	Theodore Kendall	360 00
	Elisha Morris	360 00
	A. W. Hatch, L. R. Rockwell, and Philo Brewer	614 70
	Charles B. Sheldon	360 00
	George S. Hosmer	779 13
	John D. McDonald	720 00
	Joseph Scraby	180 00
	Harmon Socia	360 00
	Charles H. Williard	180 00
	Woorter Harrison	360 00
	Joseph Webb	195 75
	Lucius F. Barber	611 33
	Robert Masters	720 00
	William Reynolds	183 84
	Dudley Little	578 29
	Robert Brayton	659 48
	Benjamin A. Morey	311 82
	L. J. Fisher	531 80
	H. Z. Brittain	130 61
	Chester Bushnell	324 90
	Joseph Webb	360 00
	Joseph Webb	360 00
		$54,046 10

DANE COUNTY COURT HOUSE.

REPORT.

A majority of the joint select committee appointed to confer with a committee of the board of Supervisors of the county of Dane, in relation to the erection of a Court House, &c., respectfully

REPORT:

That they have conferred with the committee of the board of supervisors of said county upon the subject referred to them, and have received from the said board, the following proposition, viz:

It is proposed on the part of the county of Dane, "that in consideration of the right being granted the said county to erect a Court House in the public square, the court room in said building shall at all times be opened to the sessions of the Supreme Court of the State."

In looking at the original donation of the public square upon which the capitol stands, your committee find upon the plat of the village of Madison, as laid out and recorded in vol. 2d, page 322, of the records of Dane county, the following words:—"Donation for county and territorial purposes;"—the peculiar wording of which might, perhaps, with some degree of propriety, be claimed to give equal privileges to said county with the State, in the erection of their public buildings, upon the same. But whether or not, the true intent and meaning of the words above quoted, would convey to said county any interest in common with the State, was not an enquiry entertained by your committee, as the authorities on the part of said county, voluntarily and promptly disclaimed any intention now and at all times, of claiming any rights or privileges by virtue of the wording of said donation, and only expressed a desire to erect the building proposed, in accordance with the expressed approbation of the Legislature of the State, and then, only in a style and manner not only creditable to themselves, but that should embelish and ornament the public ground, rather than mar its present pleasant and attractive appearance.

By the erection of the building contemplated, the State will be provided with a Supreme Court room, which will dispense with the further use of the one provided in the capitol, for that purpose, which may thereupon be subdivided into several smaller rooms, which, appropriated to the use of various committees, will afford very convenient and important facilities for the proper advancement of the business of the legislature.

A further investigation of the subject led the committee to the opinion that the wants of the State, and the safe preservation of important public documents, must, in a very short time, necessarily lead to the construction of fire-proof rooms for the use of the State officers, which cannot be accomplished without the erection of an entirely new structure, as no rooms of that kind can be fitted up in the present capitol. In view of such a contingency, your committee have entertained the opinion that a builing similar in structure and external appearance to the one proposed to be erected as a Court House by the county, might, at no distant period, be erected by the State for the purposes above stated.

By the erection of such a structure, the entire capitol might be fitted up for the accommodation of the legislature alone; thereby affording an additional and sufficient number of committee rooms for the convenient and proper transaction of business.

Your committee are aware that there may be objections to this measures, perhaps valid ones. It is possible that it might be a fruitful source of difficulty hereafter, should it be carried into effect. If, in the opinion of a majority of the legislature, this would be likely to be the case, your committee would waive the opinions here expressed, and upon more mature reflection will adopt the opposite view of the subject. The accompanying bill is reported more for the purpose of bringing the matter properly before this body for action, in order that it may be set at rest, than for any other.

GEORGE W. LAKIN, of Senate.
JULIUS WHITE, of Assembly.

MINORITY REPORT.

A minority of the committee appointed under a joint resolution of the Senate and Assembly to confer with the building committee appointed by the board of Supervisors of the county of Dane, in relation to the erection of a Court House in the public square, respectfully submit the following

REPORT:

1st. The minority of the committee are of the opinion that the county of Dane cannot, with any propriety, claim equal privileges with the State in the occupancy of the public square upon which the Capitol stands. In this opinion the minority are sustained by the board of supervisors of Dane county.

2nd. The minority do not believe that it would be for the interest of this State to dispose of a portion of the public square for the purpose of obtaining a new Supreme Court Room and to have that room subject to the control of the authorities of Dane county.

3d. The minority do not concur with the majority that the erection of the proposed court house in the public square will embelish or prove an ornament to the same; but believe that it would mar its present pleasant and attractive appearance.

4th. The minority do not propose to discuss the subject of the future wants of the State, believing that the resolution under which the committee was appointed, did not contemplate a report upon that subject.

5th, The minority believe, should the proposition of the supervisors of Dane county be carried into effect by the State, and the right which they ask for be granted, it would be a fruitful source of difficulty hereafter. The undersigned would therefore recommend no further action in the matter.

All of which is respectfully submitted.

JEDEDIAH BROWN.

(N.)

SUPERINTENDANT OF PUBLIC PROPERTY.

The Joint Select Committee appointed under a resolution of the Senate and Assembly, "to inquire into and examine the accounts and affairs of the late Superintendant of Public Property, so far as they may relate to his acts as a public officer, and to report their doings to the two houses of the Legislature at its present session," have attended to the duties assigned them, and beg leave to

REPORT:

That in consequence of nothing appearing upon record or on file in any of the departments of State, as they can ascertain in any schedules, catalogues, or other papers in possession or under the control of any person, to which your committee could have access, showing the amount of property ever put into the possession of said superintendant or under his control; and no evidence being out, heretofore reported to the Legislature, and Madam Rumor being too erratic a jade to be relied on without corroborative testimony, your committee have nothing to report in relation to his offirial acts.

At the last session of the Legislature the accounts of the late superintendant (J. G. Knapp) were audited and allowed, and an appropriation for the amount made. He however claims that through mistake the sum of $44.32 was left out of the appropriation reputed by the committee. The proof of such omission not being sufficient, your committee make no recommendation in relation to it.

He claims ($ 66.58) sixty-six dollars fifty-eight cents balance of salary unpaid, from August 4 to October 1, 1848, and from January 1 to January 24, 1849, and pay for assistant from January 8 to January 24, 1849, inclusive—17 days at one dollar and fifty cents per day, amounting to twenty-five dollars and fifty cents; also, eleven dollars and eighty-four cents ($ 11.84) for amount paid Dousman & Co., for freight on stationery, &c., for the State. This last item does not appear to have been taken into account in the settlement made with him at the last session of the Legislature. Your committee are of the opinion that the three last named claims should be allowed, deducting five dollars and twenty-five cents, ($ 5.25) for laws sold by him, which will leave his account as follows:

Due him for salary as before named	$ 66 85
Due him for pay of assistant	25 50
Due him for amount paid Dousman & Co.,	11 84
	$ 103 82
Deducted amount received for laws	5 25
Am't for which committee recommend an appropriation	$ 98 97

In addition to the foregoing, he claims sixty dollars for interest on what amount will be seen by schedule marked A, accompanying this report. Your committee make no recommendation in relation to this last claim.

All of which is respectfully submitted.

JOHN B. SMITH,
Senate Committee.

JULIUS WHITE,
SAMUEL PRATT,
S. A. CLARK, Jr.,
P. TOLAND,
Of the Assembly.

A

STATE OF WISCONSIN,

To J. G. KNAPP, *DR.*

1849.			
1		To amount omitted in footing up bills allowed at the last session,	$44 8[illegible]
		To salary as Superinendant of Territorial property, from 4th of August, 1848, to 1st October—57 days,	
2		Also, from 1st January, 1848, to 24th January—24 days,	66 78
3		To pay of assistant, from January 8, to 24, inclusive, $1.50,	25 50
4	Jan. 18	To cash paid Dousman & Co.,	11 84
			$148 24
			CR.
	Jan. 24	By cash, for laws sold prior to this date,	5 25
			$142 99

5 In addition to the above sum, $142 99, I claim there there should be paid me the same interest (12 per cent,) which the Treasurer was authorized to pay for a loan (see laws 1848, 110,) on one thousand dollars taken from me by the act to prescribe the duties of Treasurer from the passage of that act to January 29, 1849—6 months, $60 00

(O.)

COMMITTEE ON THE STATE LIBRARY.

REPORT.

The committee upon State Library, beg leave to make the following

REPORT:

The importance of a State Library, in the opinion of your committee, is not appreciated as it ought to be, either by members of the Legislature or by the people of Wisconsin. There is not at this time, it may be safely asserted, a respectable collection of books in our State. Our community is young, and under the circumstances of its formation but illy prepared to engage in systematic efforts, by private enterprise to advance the pursuit of literary culture. We are, however, in the possession of a magnificent endowment in lands for the purpose of education, and we are bound by every consideration—by the example of States from which most of us have emigrated, and by our character in the Union as a people of intelligence, to provide at the capitol of the State a collection of books—standard works in our language, to remain a repository of English literature for all who are to come after us. As a matter of State pride, none of us can be indifferent to the importance of the subject; but your committee beg leave to say in this connection, that the present condition of the public library, betrays an almost entire neglect upon the part of Territorial and State Government, of the objects for which such an institution ought to be established.

On examination, they find in the small collection, dignified by the title of "State Library," a few valuable works, the editions of which are complete. They find, also, broken setts of publications—imperfect because they were not originally purchased in full, or have not been kept up from year to year, such as Reviews and other periodical publications, or because volumes have been lost or purloined. In one way or another the books purchased by the State have been diminished in number, and at present there is certainly but a very meagre amount of literature in the library, and the consequence is, that saving a few works commonly known as essential to the respectability of a library, we have but an inconsiderable list of works worthy of perusal.

A Law Library, containing the best elementary works not only upon the Common Law of England upon which our statutes are based, but also treatises upon the civil law, in the opinion of your committee, is a matter of very great importance to the State of Wisconsin. It would afford most important facilities to practitioners in our Supreme Court—it would be of great convenience to our Supreme Court Judges; and from these considerations it is evident that it would assist materially in the enlightened dispensation of justice. Our State is young, the practice of our courts is not yet fairly established, and it is easy to perceive how important it is that we should have at the capitol not only standard elementary law books, but the reports of legal decisions published in other States of the Union. Such decisions are of great moment in the settlement of doubtful matters of law before our courts, and not unfrequently our judges will have to decide questions of law, arising upon the construction of statutes in other States, which must be determined by the decisions of their respective tribunals. A full collection of the volumes in which these decisions are published, would require a larger outlay of money than most of the legal profession in the State are able to incur, while the State, by the purchase of them, would suffer nothing, in as much as they would be used in her highest court for the more ready and certain establishment of justice, where the rights of her citizens are concerned.

In conclusion, your committee would recommend an appropriation of money to increase the Library of the State, both in the department of miscellaneous literature and in the colllection of law publications. An annual appropriation of a reasonable sum, to be expended in the purchase of books, by an intelligent and competent agent, would be a certain means of building up a State Library that would be of great benefit to the citizens of our State, and would reflect honor upon her as a member of the Union.

Subjoined is a list of such books as are necessary to complete the different series in the library, many of which are are absolutely necessary to give value to such as are now in its catalogue.

F. A. SPRAGUE, Chairman.

REPORTS TO FILL UP THE SETS IN THE LIBRARY.

United States Supreme Court.

Nos.	Titles of books.	Years.	Vols.	Cost.	Total.
11 to 16	Peter's Reports	1836 to 1842	6	$24,00	
1 to 6	Howard's do	1843 to 1846	6	24,00	$48,00
	(2nd Howard is in the Library.)				
	United States's Circuit Reports.				
	First Circuit.				
1 to 2	Gallison's Reports	1812 to 1815	2	10,00	
2 to 3	Summer's do	1834 to 1839	2	12,00	
1 to 3	Story's do	1839 to 1845	3	15,00	$37,00
	Third Circuit.				
1	Baldwin's Reports,			6,00	
1	Wallace's do			3,00	$9,00
	Fourth Circuit.				
1 to 2	Marshall's decisions,				10,00
	Seventh Circuit.				
1 to 2	McLean's reports,				10,00
	District of Maine.				
1	Ware's reports,				4,00
	District of New York.				
1	Van Ness' reports, prize cases,				1,00
	District of Pennsylvania.				
1 to 2	Peters admir'ty dec.,				6,00
1	Gilpin's reports,				6,00

District of South Carolina.

1	Bee's admir'ty rep.,					4,00

Massachusetts Reports.

14 to 24	Pickering's reports,		1833 to 1840	10		
1 to 10	Metcalf's	do	1840 to 1845	10		$90,00

New York Reports.

	Coleman's cases,		1794 to 1800	1	4,00	
14 to 26	Wendell's reports,		1835 to 1841	17	78,00	
1 to 7	Hills'	do	1841 to 1845	7	42,00	
1 to 4	Denio's	do	1845 to 1846	4	24,00	
6 to 12	Page's chancery	do	1837 to 1847	7	42,00	
1 to 3	Wheelers crim. cas.			3	10,00	
	Hoffman's vice chancery rep.		1839 to 1840	1	6,00	
	Clarke's	do	1829 to 1831	1	5,50	
1 to 2	Sanford's	do	1843 to 1846	2	12,00	
	Howards prac. rep.		1844 to 1845	1	3,00	
						$226,50

Illinois Reports.

1 to 4	Scammon's reports,		1832 to 1843	4	20,00	
1 to 3	Gilman's	do	1844 to 1847	3	15,00	
						$35,00

Pennsylvania Reports.

2 to 6	Wheaton's reports,		1836 to 1841	4	24,00	
5 to 10	Watts'	do	1836 to 1840	6	36,00	
1 to 19	Watts' & Ser.	do	1841 to 1844	9	54,00	
1 to 4	Penn.	do	1844 to 1847	4	16,00	
1 to 2	Browne's reports,		1806 to 1814	2	6,00	
1 to 2	Miles'	do	1835 to 1840	2	10,00	
1 to 2	Ashmede	do	1808 to 1841	2	10,00	
						$156,00

Virginia Reports.

(Not worth having.)

6 to 12	Leigh's reports,	1835 to 1841	7	44,31	
1 to 2	Robinson's do	1842 to 1844	2	13,00	
1 to 2	Grattan's do	1844 to 1846	2	13,00	50,31

Kentucky Reports.

1	Hughes' reports,	1785 to 1801			
	Kentucky decisions,	1801 to 1805			
1 to 4	Bibbs'	1808 to 1817	4	16,00	
1 to 3	A. K. Marshall's,	1817 to 1821	3	15,00	
4 to 9	Dana,	1835 to 1840	6	36,00	
1 to 6	B. Monroe's	1840 to 1846	6	27,00	

Ohio Reports.

6 to 9	Ohio reports,	1833 to 1839	4	20,00	
1	Wilcox's do	1840 to 1841	1	5,00	
1 to 2	Stanton's do	1841 to 1843	2	10,00	
1 to 3	Griswold's do	1844 to 1847	3	12,00	$47,00

Indiana Reports.

4 to 8	Blackford's reports,	1835 to 1847	5	20,00	$20,00

Missouri Reports.

1 to 9	Missouri reports,	1821 to 1846	9	28,00	$28,00

(4th volume in the Library.)

English, (Common Law.)

	Volumes 29 to 43			46,50	
	do 44 to 51			20,00	
	Index to 51 volume			5,00	
1 to 2	Plowden's reports,	1513 to 1582	2	8,00	
1 to 3	Coke's,	1582 to 1615	6	25, 0	
	Yelverton,		1	3,50	
	Raymond,		3	13, 0	
	Strange,		2	8,00	
	Douglass, (19, 20, 21, George 3d)		2	7,00	
1 to 8	Taunton,		8	20,00	
	(5, 6, 7 and 8 are abridged in com. law rep.)				$156,00

Exchequer.

1 to 14	Meeson & Welsby,	1836 to 1845	14	35,00	
1 to 3	Anstruther reports, (32 to 37, Geo. 3d.)			12,00	$47,00

Chancery.

	Mosely,	1735 to 1740	1	3,00	
	Cases Tem. Talbot		1	3,00	
	Ambler,		2	7,50	
	W. Brown,	1778 to 1794	4	14,00	
	Cox,	1766 to 1783	3	8,00	$35,50

MISCELLANEOUS BOOKS WHICH ARE GREATLY NEEDED FOR THE LAW LIBRARY.

Titles of Books.	Vols.	Cost.
Archbold's Pleading and Evidence	1	$4,00
Barbour's Chancery Practice	2	14,00
do Criminal Law	1	5,50
Brinkershock Law of War	2	1,25
Bouvier American Law Dictionary	2	10,00
Chitty's Pleadings	3	10,00
Chitty on Contracts	1	5,00
Civil code of Louisiana	1	5,50
" " of Napoleon	1	4,00
Cowen's Justices Treatise	2	8,00
Fessenden Law of Patents	1	3,00
Gow on Partnership	1	4,00
Greenleaf's over-ruled cases	1	3,50
Hilliard's Am. Law of Real Property	2	10,00
Relham's Dictionary Nor. French	1	1,50
Smith's chancery practice	2	6,00
Story on bailment	3	12,00
Story Equity	1	6,00
" bills of exchange		5,50
" partnership		5,50
" promissory notes		5,50
" contracts		4,50
Phillips' evidence, (Cowen's & Hill's notes,)	4	12,00
British crown cases reserved	3	9,00
Jacob's law dictionary	6	12,00
DIGESTS.		
Peter's United States	3	14,00
United States	3	21,00
Clerke's New York	4	18,00
Hall's Virginia	2	6,00
Benjamin & Slidell's Louisiana		6,00
Gillman's Indiana and Illinois	1	5,00
American chancery (Barbour and Harr)	4	14,00
do do (Wheeler)	2	8,00
Pertle's Kentucky	1	5,00
Minot Massachusetts	1	7,50
Ohio	1	5,00
Day's Connecticut	1	5,00
Halsted's New Jersey	1	5,00
Iredell's North Carolina	3	15,00
Rice's South Carolina	2	12,00
Supplement to United States digest	2	14,00
		$139,00

(P.)

COMMITTEE ON FINANCE.

The Committee on Finance—

REPORT:

That they have had the subject of providing the means of paying State indebtedness, and expenditures of 1849 and 1850, under consideration, and as no other mode than direct taxation is allowed by the constitution to keep the wheels of government moving, they have endeavored to ascertain as nearly as possible the amount of means necessary to be raised for that purpose, they find that if the good credit and faith of the State is to be sustained and maintained, an amount not less than $80,000 should be raised by tax the present year. The following statistical table will show on what estimate the foregoing amount is based, viz:

Cost of State Government to January 1, 1849, and payments made since State organization, as per Secretary of State's Report, - -	$38,846 30
Add for printing laws and journals of last session,	2,000 00

Add Territorial and other indebtedness,		10,000 00
Add ten canal bonds and interest,		11,000 00
		$61,846 30
Deduct amount of foregoing paid by the late Territorial Treasurer,		5,442 00
		$56,404 30
Expenditures of 1849, as estimated (see Secretary's Report,)	46,980 00	
Add for support of State prisoners,	3,000 00	
Add additional mileage,	480 00	
Add additional postage,	250 00	
Add additional pay of Legislature,	7,850 00	
Add additional printing	6,749 15	
		$65,309 15
Estimated expenses of 1850,		40,000 00
Amount to be expended prior to Jan. 1, 1851,		$161,713 45
Revenues.—Amount as per Secretary of State's Rep.	85,213 45	
Add docket fees of 1849 and 1850	3,000 00	
Tax to be raised in 1849,	73,500 00	
		$161,713 54

As revenues, there is included in the foregoing $14,868 61, in the hands of David Merrill, late Receiver of the canal land funds. This amount is subject to deduction for his fees, and may be lost altogether; but as according to the report of the committee made to the last Legislature, there is, or was, some $12,000 due on bonds and mortgages now in the hands of said Receiver; and also, as your committee are informed, there will be received from the United States Government some $6,800 on account of bonds and scrip which the Hon. M. C.

Darling, was authorized at the last session of the Legislature, to apply for and obtain from the Treasury Department, it is thought best to make no change but let the estimates remain as shown by the table.

The amount, therefore, to be raised, provided your committee's estimates be correct, is $73,500. Your committee have estimated the assessment of property for the year 1849, under the provisions of the law approved August 21, 1848, at $20,000,000. This may not be a correct estimate, though it is believed that the assessment will exceed that amount, rather than fall short of it. Your committee, taking that amount for a basis, recommend that a tax of four mills, per centum, he levied on the taxable property of the several counties within the State, and report a bill for that purpose. This would produce the sum of $80,000, exceeding the estimated amount by the sum of $6,500, an amount of excess small enough to meet contingencies. Should the amount of taxable property exceed the amount before named, a larger sum would of course be raised. Should it be so, it would be much better than a deficit; as an overflowing treasury would raise State credit, and place our State in an enviable financial condition—a condition highly desirable. Your committee believe the amount of tax before mentioned will produce more than the estimate, but do not believe that it would be safe to reduce the rate.

According to the annual report of the Secretary of State, the counties of Washington, Portage, Rock, Calumet, and Dodge, made no return of merchandise and stock in incorporated companies, for the year 1848, and therefore the amount of State tax against those counties was less by something like $2000, than it should have been. Your committee, believing that it is no more than right that those counties should make up the deficit, have inserted a section in the bill herewith reported, to require them to make up.

Your committee have made no estimate of expenditures for locating and erecting a State Prison, not knowing whether any provision will be made at this session of the Legislature for that purpose or not. Should there be, it will not probably be necessary to increase the rate of taxation for that purpose, as the amount provided for the payment of the canal bonds can be divested, (and will be sufficient for the present,) as said bonds do not fall due until some time in the year 1851, and provision for their payment can be made out of the revenues of 1850, should this course become necessary.

All of which is respectfully submitted.

JOHN B. SMITH, Ch'n,
C. LATHAM SHOLES.

INDEX.

INDEX TO JOURNAL.

A

ACCOUNTS—George E Graves, 43; Cooley and Cowdery, 54; Delaney and Wright, 54; J C Fairchild, 61, 106; William Doughty, 66; George Beatty, 66; Gideon Chapin, 66; James Giddings, Jerome Yates, Francis Henry, William Hood, W J S Fisk, John Douglass, John C Gilman, (commissioners, &c.,) 74; John A Bingham, 79; Moses M Strong, 79; Martin M Flint, 88; H A Tenney, 98; Moses Meeker, 101, 610, 611; R Smith, 111; G M Oakley, 119; Darwin Clark, 119; H H Farnsworth, 119; Dean & Co., 162; Seymour and Varney, 119, 162, 229; James Helpin, 162; Timothy Robinson, 162; Henry C Parder, 119, 162, 140; J T Wilson, 162; Thos. C Dunn, 162; P W. Matts, 119, 166; J Catlin, 171; Ernest F Herzberg, 154, 171; I H Palmer, 172; Joseph Atherton, 154; Edward H Rudd, 194; Beriah Brown, 198; R A Bird, 198; Michael Frank, Charles S Jordan, and James Simmons, 241; H G Bliss, 247; J H Lewis, 272; Peter Kavanaugh, 281; Daniel Noble Johnson, 285; J R Brigham, 367; Enos L Brayman, 368; James L Strang, 371; Atwood and Buck, 559; William T. Butler, 574.

ACADEMY, Dane—Bill to incorporate, 242, 294, 302, 309.

" Walworth County—Bill to incorporate, 367, 405, 442, 517.

" Watertown—Bill to incorporate, 513, 606.

ACADEMICAL ASSOCIATION, Spring Valley—Bill to incorporate, 202, 212, 242, 258, 260, 403, 411.

ACTIONS, maintenance of by persons holding claims, &c.—Bill concerning, 503, 537, 544, 584.

ACTS, certain, when to take effect—Bill prescribing time, 631, 642, 644.

ADDISON, Collector in—Bill to legalize proceedings of, 406, 409, 432, 448, 469, 481.

ADJOURNMENT OF LEGISLATURE—Resolution relative to, 335, 344, 355, 356.

AGRICULTURE AND MANUFACTURES—Report of committee, 68.

ALDEN AND HOLT—Bill to pay, 374, 506, 572.

ALLEN, H S, and others—Bill to authorize to construct a boom in Chippewa river, 129, 157, 196, 197, 250, 268.

ANIMALS, certain—Bill to prevent running at large, 374, 615, 636, 638.

APPROPRIATE, money to persons therein named—Bill to, 128, 130, 138, 139, 141; Governor's veto, 141; passed Senate, 142; passed Assembly, 146; Report of chief clerk, 151.

" The several sums therein named—Bill to, 156, 186, 190, 191, 280, 284.

" The sum therein named—Bill to, 198, 199, 222, 257, 260, 280, 284.

" The several sums therein named—Bill to, 272, 281, 282, 285, 283, 473, 497.

APPROPRIATE, the several sums therein named—Bill to, 336, 369, 473, 474, 483, 485, 480, 613, 655.

" The several sums therein named—Bill to, 373, 488, 490, 508, 512.

" The several sums therein named—Bill to, 524, 540, 544, 547, 548.

" The several sums therein named—Bill to, 533, 540, 544, 560, 577, 612, 622, 623, 655.

" The sum therein named—Bill to, 374, 409, 410, 422, 427, 428.

" The several sums therein named—Bill to, 575, 580, 581, 583, 593, 594, 650.

" Certain sums therein named—Bill to, 595.

" The several sums therein named—Bill to, 612, 615, 618, 619, 620.

" To the several persons therein named—Bill to, 612, 615, 618, 619.

" To the several persons the sums therein named—Bill to, 612, 615, 616, 617, 619, 620, 650.

" To the several persons the several sums therein named—Bill to, 632, 642, 643, 647, 648, 649.

" A certain sum therein named—Bill to, 632, 636, 637, 652.

" The sum therein named—Bill to, 635, 639, 647.

" The several sums therein named, 649.

ATTORNEY GENERAL AND DISTRICT ATTORNEY of Milwaukee county—Act to prescribe the duties of, 226, 258, 265, 266, 307, 312.

ATTORNEYS—Bill relating to, 296, 318.

Attorneys at Law—Bill regulating admission of, 485, 498, 502, 513, 540.

Atwood and Buck—Bill to appropriate to, 373.

Assessment and Collection of Taxes—Resolution on the act for, 530, 531.

Attachments—Bill relating to proceedings against debtors by, 387, 435, 449, 470, 473, 506, 623.

Arms of the State—Bill for distribution of, 545, 562, 579, 624.

Auburn, Town of—Bill to declare certain roads in, lawful highways, 202, 230, 257, 260, 261, 274.

B

Belmont—Recording town plat of, report of committee on petion for, 195.

" Bill to authorize recording town plat of, 289, 405, 409, 410, 428, 457, 466.

Banking unauthorized—Bill relating to, 507, 538, 550, 578, 624.

Bastards—Bill for support of, 381, 435, 436, 481.

Belgium, Town of, Washington county—Bill to authorize the Treasurer to receive, &c., 289, 294, 295, 297, 298, 332, 336.

Bills of Exchange and Promissory Notes—Bill concerning, 494, 514, 515, 520, 525, 623.

Bird, Rhenodyne A.—Bill to appropriate to, 206, 221, 223, 224, 268, 273.

Black River—Bill to prevent obstructions in, 365, 368, 370, 376, 403, 411.

BOOKS, certain—Bill to provide Legislature with, 62, 69, 70, 101, 102, 105.

BOOKS AND PAPERS OF PUBLIC OFFICERS—Bill to compel delivery of, 239, 270, 271, 307.

BOARD OF PUBLIC WORKS—Bill to prescribe certain duties of, 194, 262, 265, 266, 324, 336,

" Election of member to fill vacancy, 452.

BOATS AND VESSELS, collection of demands against—Bill to provide for, 302, 303, 354.

BOUNDARIES of counties of Columbia, Adams, Sauk, Chippewa, La Pointe, and St. Croix—Bill in relation to, 296, 308, 315, 316, 317, 342.

" Of certain towns in Marquette county—Bill to alter, 461, 462, 463, 469, 510.

" Of Bristol and Paris, towns of—Bill to repeal act, changing, 178, 384.

BROWN, LUCY ANN—Bill to change her name, 163, 208, 215.

BROWN, BERIAH—Bill to appropriate to, 206, 221, 223, 224, 258, 268.

BROWN COUNTY—Bill to appropriate to, 51, 60, 63, 65, 69, 70, 101, 102.

" Taxes in certain towns in—Bill to extend time for collecting, 612, 615, 618, 619, 620, 656.

BRIDGE across Milwaukee river—Bill to provide for building, 461, 462, 575.

" Fox river—Bill to authorize construction of, (2) 461, 462, 464, 465, 497, 498, 501, 502, 512, 540.

" Nepasink Lake—Bill to authorize construction of, 472, 498, 502, 532, 537, 588.

BRIGHTON, Town of—Bill to divide, 461, 462, 495, 510.

Buena Vista, Town of—Bill to organize, 418, 430, 432, 441, 457, 466.

Burnett, Thomas P, heirs of—Bill to pay for reporting decisions of Supreme Court of the Territory, 153, 157, 159, 160, 169, 170, 171.

Business of the Legislature at its present session—Resolution relative to, 106, 140, 169, 170, 171.

Butte des Morts, Town of—Bill to change the name of, 289, 294, 295, 385, 389, 391, 410, 414.

C

Calumet, Town meeting in—Bill to legalize, 126, 209, 239, 246.

" Village of—Report of committee in relation to town plat, 385.

" Special town meeting in—Bill to legalize proceedings of, 166, 207, 25.

Capitol, repairs of—Report of committee on, 639; Resolution relative to cleaning, 111, 135.

Canal Lands, sale of—Bill additional to act to amend act authorizing, 372, 394, 399, 400, 495, 503, 517.

" Bill to authorize patents to issue for lands sold, 471, 498, 502, 512, 540.

Carriages, Public—Bill for the regulation of, 269.

Carroll College—Bill to consolidate and amend act to incorporate, 289, 293, 295, 314, 323, 325, 354, 411.

Catfish River—Bill to prevent obstructions in, 374, 431, 438, 439.

CEMETERY ASSOCIATION, Milwaukee—Bill to constitute certain persons members of, 129, 157, 159, 160, 184, 185, 188, 200.
" Salem—Bill to incorporate, 365, 366, 405, 409, 410, 428.
" Bill relative to incorporations of, 465, 467, 468, 623.

CENSUS OF THE STATE—Bill to provide for taking, 214, 262, 487, 488, 490, 494, 495, 496.

CEDARBURG—Bill to vacate a certain street in, 152, 167, 208, 209, 213, 216, 280, 284.

CERTAIN ACTS—Bill to repeal, 296.

CHANCERY—Bill to amend an act prescribing mode of proceeding in, (S.) 194, 248, 249, 252, 655.
" Bill to amend an act prescribing mode of proceeding in, (A.) 84, 195, 207, 215, 239, 246.
" Bill concerning proceedings in, 446, 447, 448, 644, 655.

CHAPLAINS—Resolution relative to, 34, 39; Attorney General to give opinion, 40; Opinion, 44.

CHARLESTOWN, Town of, Calumet county—Bill to organize, 178, 206, 281, 283.

CHILI, Town of—Bill to organize, 365, 366, 374, 389, 391, 410, 414.

CHRISTIAN SOCIETY, FIRST, in town of Monroe, &c.—Bill to incorporate, 334, 368, 369, 384, 386, 457, 466.

CIRCUIT COURTS in Columbia county—Bill to establish time for holding, 643, 644.
" Bill to amend act to establish time of holding, 315, 316, 342, 358, 366, 367, 370, 378.
" Bill to fix the *time of holding*, 438, 447, 604, 605.

CIVIL PROCESS, persons confined in jail on—Bill for relief of, 461, 463, 530.

CLAYTON, Town of—Bill to organize, 461, 462, 463, 469, 481.

CLERK, CHIEF—Elected, 4; authorized to emply assistants, 5.

" In office of Secretary of State—Resolution relative to, 647.

CLERKS OF COUNTIES—Bill prescribing duties of, 277, 299, 302, 309, 377.

COLLECTION OF PENALTIES, FORFEITURES, AND FINES—Bill for, 594, 600, 602, 603, 644.

COMPILATION OF STATUTE LAWS—Resolution relative to committee on, 237.

" Committee on—Resolution that they call in aid, &c., 584.

COMMITTEES, Standing, of (S.) appointed, 41, 44; Joint Standing Committee, 44.

COMMISSIONERS to locate State lands—Bill to pay, 81, 84, 88, 91, 127, 138, 141, 178.

" To revise the laws—Bill to pay, 206.

" To revise the laws—Act to provide for the payment of, 241, 272, 281, 282, 388, 394.

" To take acknowledgments of deeds in other States—Bill concerning, 507, 537, 545, 623.

CONSTITUTIONAL CONVENTION—Resolution to procure debates of, 44.

CONSTITUTION—Resolution relative to printing, 46.

CONTEMPTS, Civil Remedies, &c.—Bill relative to, 550, 575, 580, 581, 612, 644.

CONTRACTS relating to land—Bill to provide for recording, 498, 502, 513, 607, 655.

CONGREGATIONAL CHURCH, FREE, in Milwaukee—Bill to incorporate, 585, 586, 587.

CONCILIATION, Courts of—Resolution relative to, 355, 372.

" Tribunals of—Bill regulating, 536, 561, 577, 650.

CONVENTION of two Houses to elect United States Senator, 42, 52, 57.

" Of two Houses to elect Register of State Land Office and Treasurer of the Board of Public Works, 326.

" Of the two Houses—Resolution relative to a joint convention to elect a Board of Public Works, and to fill vacancy, 407, 436.

" Of two Houses to fill vacancy, 452.

CORPORATIONS, proceedings against in courts of law—Bill relating to, 550, 559, 562, 565, 624.

" Proceedings against in chancery—Bill relating to, 550, 559, 562, 565, 580, 581, 656.

" General provisions concerning—Bill relating to, 550, 559, 562, 565.

" Voluntary dissolution of—Bill relating to, 575.

" For manufacturing, mining, &c.—Bill in relation to, 419, 431, 432, 441, 505.

COSTS AND FEES—Bill concerning, 545, 555, 556, 557, 576.

COTTAGE GROVE, Town of—Bill to divide, 357, 368, 369, 392, 396, 440, 449.

COURTS, PROBATE—Bill relative to, 461, 462, 463, 623.

COURT-HOUSE of Dane county—Resolution in relation to building committee, 82, 251.

" Of Dane county—Bill to authorize erection of, on public ground, 252, 294.

COURTS, of Record—Bill relating to, 122, 145, 146, 153, 182, 200.
" County—Bill to organize, 205, 250, 253, 322, 343, 344, 356, 358.
" In 2d and 3d circuits—Bill to regulate time of holding, 151, 157, 159, 184.
" Municipal in city of Milwaukee—Bill to repeal act to establish, 166, 186, 190.
" County—Bill to organize, 464, 505.
" General provisions concerning—Bill relating to, 412, 419, 420, 455, 456, 644.
" Held by justices of the peace—Bill relating to, 576, 585, 586.

COUNTIES AND COUNTY OFFICERS—Bill in relation to, 196, 197, 199, 203, 213; amendment, 216, 217, 255, 266, 276, 277, 354.

COUNTIES OF THIS STATE—Bill relating to, 472, 477, 478, 486, 597.

CRAWFORD COUNTY—Bill to appropriate to, 68, 77, 84, 88, 90, 138, 141, 143.

CRIMES AND PUNISHMENTS—Bill in relation to, 418, 419, 420, 421, 429, 650.

CULVER, ALVAH—Bill to authorize to keep a ferry, 378, 400, 401, 428.

CUSTODY of persons committed on authority of United States—Bill relating to, 75, 80, 84, 90, 101, 102.

D

DAM across Pickatonica river—Bill to authorize construction of, 536, 562, 578, 617.

DANE ACADEMY—Bill to incorporate, 242, 294, 302, 309.

DANE COUNTY—Bill to authorize Supervisors to borrow money to build court-house, 308, 315, 316, 377.

DANE, Town of—Bill to divide, 366, 374, 390, 391, 396, 457, 465.

DEAN, N W—Bill to appropriate to, 223, 231, 258, 260, 274, 281.

DEBTS, collection of—Bill to repeal all laws for, 346, 400, 401, 598, 600, 603.

DELINQUENT COUNTIES—Resolution relative to, 357.

DECISIONS OF SUPREME COURT of late Territory—Bill to publish 597, 601, 602, 603.

DIVISION of Counties under county system of government into towns—Bill amendary to act therefor, 83, 87, 94, 101, 108, 123, 139, 144.

" Of towns—Bill relative thereto, 239, 270, 271, 290, 598.

DIVORCES—Bill concerning, 502, 503, 510, 515, 516, 525, 650.

DOGS—Bill concerning, 518, 520, 524, 525, 546.

DOORKEEPER—Resolution relative to, 68.

DOUGHTY, WILLIAM—Bill to pay him interest on bonds, 575, 580, 581, 650.

E

EAGLE, Town of, in Waukesha county—Bill relative to taxes in, 223, 239, 246.

EASTMAN, H. EUGENE—Petition contesting seat of Lemuel Goodell, 36, 52, 71, 182, 397, 483.

EJECTMENT, Action of—Bill to amend act concerning, 126.

ELECTION LAWS—Bill of penalties for violating, 155, 157, 616, 189, 190, 191, 200, 202, 218.

Elections, other than town officers—Bill relative to, 223, 226, 227, 235, 236, 237, 238, 243, 280.

Electors of President, &c., of the United States—Bill to pay mileage, &c., 612, 615, 618, 619, 620, 656.

Electric Telegraph Lines—Bill concerning, 503, 537, 545, 584.

Emmett, Town of, roads in—Bill to declare lawful highways, 202, 356, 358, 377.

Enos, James L—Resolution relative to educational journal, 536, 537.

Enrolled Bills—Resolution relative to committee on, 312, 483, 531.

Estates in Lands, uses and trusts—Bill relative to nature of, 382, 389, 391, 440.

Exchange, Bills of, and Promissory Notes—Bill concerning, 494, 514, 515, 520, 525, 623.

Exemption from forced sale—Bill to amend act for, 113, 179, 183, 186.

Expenses of the present Legislature—Resolution relative to, 472.

" Of executive office, contingent—Bill to defray, 545, 562, 579, 624.

F

Fairchild, J C—Bill to appropriate to, 82, 84, 88, 90, 138, 141, 143.

Ferries across St. Croix and Mississippi river—Bill to authorize, 144, 168, 208.

" across Wisconsin river, 373, 400, 401, 428.

FERRIES, Regulation of—Bill concerning, 269, 287, 314, 354.

FENCE VIEWERS—Bill concerning, 597, 601, 602, 603, 644.

FERRIES, certain—Bill to remit, 595, 601, 602, 604.

FINANCE, Committee on—Report of, 518.

FIRE INSURANCE COMPANY, Milwaukee Mutual—Bill supplementary to acts to incorporate, 180, 257, 258, 265, 266, 406, 487, 488, 517.

FOURTH LAKE navigable—Bill to declare, 374, 509, 410, 422, 442, 443.

FOND DU LAC AND WINNEBAGO COUNTIES—Bill to lay out road in, 69, 84, 88, 90, 138, 140, 143.

" River—Bill to declare a navigable stream, 382, 389, 391, 410, 414.

FORCIBLE ENTRIES AND UNLAWFUL DETAINERS—Bill concerning, 536, 555, 556, 577, 624.

FORECLOSURE OF MORTGAGE by advertisement—Bill concerning, 536, 561, 564, 565, 623.

FOX AND WISCONSIN RIVERS—Bill to amend act for improvement of, &c., 129, 157, 159, 164, 165, 177, 178, 348, 352, 353, 354, 418, 419, 436, 442, 457, 466, 470.

FOX RIVER, Bridge across—Bill to authorize construction of, 144, 186, 191, 199, 201, 203.

" Bridges across—Bills to authorize construction of, 461, 462, 464, 465, 497, 498, 501, 502, 512, 540.

FRAUDULENT CONVEYANCES AND CONTRACTS, &c.—Bill relative to, 314, 317, 405.

FRAMBACH, CATHERINE—Bill to change her name, 628, 655.

" JOHN—Bill to change his name, 628, 655.

FREE CONGREGATIONAL CHURCH in Milwaukee—Bill to incorporate, 585, 586, 587.

G

GERMAN AND NORWEGIAN LANGUAGE—Bill to provide for translating and printing certain laws in, 317, 331, 399, 400, 488, 489, 490, 508, 512, 522, 525, 554, 560, 584.

GOODELL, LEMUEL—Seat of contested, 36, 37, 183; Resolution, 301; Report of committee, 397, 474, 482, 483.

GOVERNOR, Message of, 7, 9; transmitting accounts against State, 64, 73, 88, 154, 162.

" Committee to inform him of completion of business, 667, 673.

GRAND CHUTE, Town of—Bill to organize, 476, 497, 510.

GRAND JURORS AND PETIT JURORS—Bill concerning, 494, 514, 515, 520, 525, 623.

GRAVES, GEORGE E—Bill to appropriate to, 78, 94, 98, 101, 138, 141, 143.

GUARDIANS AND WARDS—Bill concerning, 514, 520, 521, 523, 525, 623.

GULDBRANSEN, NILS CORNELIUS—Bill to change his name, 76, 85, 90, 101, 102.

H

HABEAS CORPUS, Writ of—Bill concerning, 314, 317, 405.

HALE AND CHAPMAN—Bill to pay, 80, 84, 88, 91, 143, 157, 161, 164, 165.

HARAZTHY, Village of—Bill to change name of, 382, 389, 440, 449.

HEALTH, Public, preservation of—Bill to provide for, 518, 521, 522, 524, 525.

HEFFLEFENGER, ARCHIBALD—Bill to change his name, 76, 84, 90, 101, 102.

HERZBERG, ERNEST F—Bill to pay, 153.

HIGHWAYS AND BRIDGES—Bill concerning, 269, 331, 332, 335, 346, 350, 408, 420, 471, 520.

HOLT, DAVID, JR.—Bill to appropriate to, 289, 294, 295, 297, 319, 324, 628, 636, 637, 652, 653.

HOLSTEIN, NEW, Town of—Bill to organize, 289, 294, 295, 298, 324.

HOLMES, JOHN E, Lieutenant Governor—Resolution of thanks to, 663; Address to Senate, 673.

HOMESTEAD EXEMPTION—Petition of Jacob Lybrand, 79.

" " Of Beriah Brown, 79.

" " Report of Judiciary committee on, 112

HOMICIDE—Bill relative to, 382, 390, 391, 397, 429.

" Resolution on filling blank in, 551.

HUSBAND AND WIFE, general provision on—Bill of, 597, 600, 602, 603, 619, 627, 631.

HUSTISFORD, Dodge county, town of—Bill to authorize to levy a tax, 120, 157, 158, 160, 189, 194, 201, 203, 204.

HYER, NATHANIEL F—Bill to pay, 73, 76, 101, 102, 105.

I

IMPROVEMENTS on Real Estate—Bill relating to, 387, 388, 397, 497.

INDIANS, depredations by—Memorial to President concerning, 417, 430, 432, 457, 466.

" Sale of intoxicating liquors to—Bill to prevent, 495, 505, 506, 523, 537, 538, 553, 584.

INCOME OF SCHOOL FUND, distribution of—Bill relating to, 239, 270, 271, 516.

INCORPORATIONS, general provisions relating to—Bill for, 550, 559, 562, 565, 624.

" Of Companies to construct Plank and Turnpike Roads—Bill relating to, 382, 477, 478, 482, 487, 624.

" Of Villages—Bill relating to, 545, 555, 556, 559, 644.

INFORMATIONS, WRITS OF MANDAMUS, &c.—Bill relating to, 456, 475, 477, 478, 482, 486, 623.

INSOLVENT DEBTORS—Bill for relief of, 387, 388, 397, 481.

INTEREST—Bill relating to, 35, 53, 55, 82, 92, 95.

INQUESTS OF THE DEAD—Bill relating to, 381, 435, 436, 481.

J

JANESVILLE, Village of—Bill to vacate part of, 84, 168, 174, 244, 246, 248, 249, 252, 274, 280.

" Town of—Bill to enable to apply certain moneys for the support of the Poor, 485, 505, 506, 554, 617.

JEFFERSON AND KOSHKONONG, Towns of—Bill to change boundaries of, 178, 211, 302, 310, 311, 332, 336.

JEFFERSON COUNTY, NORMAL SCHOOL OF—Bill to incorporate, 576, 586, 587, 588.

JOHNSON, DANIEL NOBLE—Bill to appropriate to, 188, 337, 340, 371, 372, 387, 440, 449.

" DANIEL NOBLE—Report of committee on his account, 361.

" DANIEL NOBLE—Bill to pay, 400, 401, 408, 409, 438, 451, 455, 472, 614, 650.

JOHNSTON STREET, Port Washington—Bill to vacate part of, 485, 498, 502, 512, 529.

JOURNALS OF THE LEGISLATURE—Resolution relative to distribution of, 236.

JUDGES OF THE SUPREME COURT—Resolution to pay, 159, 160.

JUDGMENTS AND EXECUTIONS—Bill concerning, 438, 447, 448.

JUDGE OF PROBATE AND JUDGE OF COUNTY COURT—Relative to Enrolling Committee's power to strike out and insert words, &c., 509, 531.

JURISDICTION—Bill to to cede to United States on lands for sites for Light-Houses, 133, 145, 377, 408, 411.

JUNEAU, Town of—Bill to change name of, 373, 400, 401, 439, 497, 510.

JURORS, GRAND AND PETIT—Bill concerning, 494, 514, 515, 520, 525, 623.

JUSTICES OF THE PEACE, and their jurisdiction—Bill relating to, 118, 179, 315, 316, 391, 400, 401, 598, 600, 601, 627.

K

KILBURN ROAD DISTRICT—Bill to organize, 75, 97, 103, 138, 144

KOSHKONONG AND JEFFERSON, Towns of—Bill to change boundaries of, 178, 211, 302, 310, 311, 332, 336.

L

LA FAYETTE COUNTY—Bill to establish County Seat, 140, 159, 166, 231, 235, 256, 270, 282, 285, 287, 288.

" " Bill to authorize electors to vote on County Seat, 365, 368, 370, 470, 498, 499, 500, 501, 511, 527, 528, 529, 576, 577, 617.

LA PRAIRIE, Town of—Bill to organize, 471, 497, 502, 512, 529.

LANDS, Public—Joint resolutions relative to, 43, 114.

" Limitation—Joint resolutions relative to, 98, 114; Report on petitions, 92, 97.

" Trespass on—Bill to punish, 503, 537, 545.

" Public, proceeds of—Bill to authorize Governor to draw for, 595, 601, 602, 603.

LANSING, ROBERT—Bill to pay, 646, 647.

LAWS, Printing of—Joint resolutions on, 132, 174, 186, 191, 222, 246.

" General, publication of—Resolution relative to, 170.

" Certain, publication of—Resolution relative to, 458, 456.

" Of the present session of the Legislature—Bill to provide for publication of, 278, 293, 305, 306, 307, 308, 314, 315.

LAWRENCE INSTITUTE OF WISCONSIN—Bill to amend act to incorporate, 296, 318, 405, 409, 410, 428, 457, 466.

LEGALIZE acts of certain town officers—Bill to, 512.

LEGISLATURE, Members and Officers—Bill to pay, 107, 114, 122, 125, 127, 128.

" Bill in relation to the, 262, 270, 271, 307.

" Annual meeting of—Bill to provide for the, 503, 562, 578, 624.

LEGISLATIVE EXPENDITURES—Report of Committee on, 339.

LEGAL DECISIONS, publication of—Bill to provide for the, 166, 225, 231, 235, 245, 248, 249, 252, 279, 505.

LELAND, LUCY ANN BROWN—Bill to change her name, 163, 208, 239, 246.

LEXINGTON AND DARTFORD, Town of—Bill to change names of, 461, 462, 463, 474, 498, 501, 646, 648.

LIBRARIAN—Report of chief clerk on his answer to resolution, 52.

LIBRARIAN, STATE, election of—Bill to provide for the, 129, 179, 181, 346, 369, 375, 376.

LIBRARY, STATE—Report of committee on, 575.

LIBRARIES AND LYCEUMS—Bill concerning, 518, 520, 521, 524, 525, 606.

LIEN, MECHANICS', on personal property—Bill to regulate, 113, 157, 158, 174, 190.

" " AND LABORERS'—Bill on, 485, 498, 502, 532, 555, 557, 578, 624.

LIGHT-HOUSES, lands for sites of—Bill to cede jurisdiction for, 133, 145, 242.

LIQUORS, Spirituous—Bill relating to sale of, 278, 315, 316, 406, 422, 427, 530.

LISBON, certain roads in town of—Bill to declare highways, 382, 389, 391, 410, 414.

LUNATIC ASYLUM, STATE—Report of committee on, 640.

M

Madison, Village of—Bill to amend act to incorporate, 372, 400, 401, 405, 457, 466.
" Town of—Bill to lay out road in, 476, 497, 510.
Manitowoc, County of—Bill to amend act to organize, 495, 505, 506, 529, 588.
Maps, Manuscript—Joint resolutions relative to, 126, 174, 186, 192.
Marquette, County of—Bill to extend boundaries of, 202, 206, 248, 249, 302, 308, 309, 332, 336.
Marks and Brands for Horses, Cattle, &c.—Bill for, 597, 601, 602, 603, 644.
Marriages—Bill concerning, 502, 503, 510, 515, 525, 597.
" Bill to amend act regulating, 202; Report of committee on, 404, 405, 409, 428.
Married Women—Bill concerning rights of, 62, 114, 133, 145, 303, 304.
Masters and Apprentices—Bill concerning, 514, 520, 521, 524, 525, 623.
Medical Societies—Bill relative to, 461, 464, 470, 477, 478, 486, 617.
Meehan, John—Bill to change his name, 82, 85, 88, 94, 138, 141, 142.
Memorial to Congress on Mail Route from Racine to Madison, 61, 85, 125, 139, 144.
" To Congress on Mail Route from Falls of St. Croix to La Pointe, on Lake Superior, 83, 94, 101, 118, 139, 144.

MEMORIAL TO CONGRESS on Mail Route from Waukesha to Port Washington, 83, 94, 102.
" To Congress on Mail Route from Prairie la Crosse to Prairie du Lac, 83, 95, 102, 109, 123.
" To Congress on Mail Route from Waukesha to Cedarburg, 115, 135, 145, 201, 218, 246.
" To Congress for appropriation of land to aid in construction of a Rail Road from Milwaukee to the Mississippi river, 279, 323, 340, 341, 377.
" To Congress for a grant of land to aid in the construction of a Rail Road from the Falls of St. Croix to Lake Superior, 296, 310, 311, 332, 336.
" To Congress on the subject of establishing a Marine Hospital at Rock Island, 61, 73, 94, 99, 101, 118, 139, 144.

MERCHANTS' MUTUAL INSURANCE COMPANY of Milwaukee—Bill to amend act to incorporate, 247, 294, 302, 309, 377.

MERRILL, DAVID, Receiver of Canal Lands—Resolution relative to, 213, 226.

MESSAGE OF GOVERNOR, 7, 9; Resolution to print, 33, 35, 49.
" " Relative to contract for Stationery, 64.
" " Transmitting accounts of Commissioners to locate public lands, 73, 88, 154.
" " Transmitting accounts for repairing Capitol, 161.
" " Communicating letter of L M Parsons on State Prison, 204.
" " Committing letter of Governor of Virginia, 232.

Messages of Assembly, 4, 43, 49, 53, 55, 56, 60, 64, 68, 72, 77, 80, 83, 89, 102, 108, 115, 122, 124, 132, 134, 135, 158, 161, 165, 169, 170, 172, 184, 187, 191, 200, 212, 221, 224, 231, 240, 251, 253, 256, 263, 266, 269, 275, 279, 285, 291, 292, 297, 298, 299, 306, 309, 313, 315, 319, 324, 330, 335, 346, 351, 356, 364, 378, 386, 392, 401, 407, 414, 420, 434, 437, 443, 446, 452, 458, 468, 475, 491, 499, 504, 508, 523, 533, 541, 548, 553, 555, 565, 583, 588, 592, 595, 598, 605, 610, 618, 624, 631, 632, 638, 641, 643, 644, 648, 650, 653, 663, 673.

Methodist Episcopal Church—Bill to incorporate, 247, 291, 299, 302, 309, 386, 411, 414.

Michigan and Mississippi Rail Road Company—Bill to amend act to incorporate, 382, 383, 393.

Miller, E., claim for surveying University and School lands—Report of committee, 205.

Milford, Town of—Bill to change name of, 314, 340, 341, 411, 414.

" Town of—Bill to alter the boundaries of, 418, 430, 432, 604.

Mills and Mill Dams—Bill to repeal act relating to, 62, 84, 88, 90, 173, 186, 190, 191.

Mills and Mill Dams—Bill in relation to, 585, 608, 609, 644.

Mileage and Stationery of members of the Legislature—Bill to pay, 81, 109, 110, 113, 154.

" Resolution relative to pay for, 154; Report of the chief clerk thereon, 168, 177, 218.

Miller, James B—Bill to authorize to keep a Ferry, 585, 587, 588.

MILITIA, Enrollment of—Bill to provide for the, 485, 497, 501, 635, 636, 637.

MILITARY RESERVE at Fort Winnebago—Resolution relative to, 519, 520, 606.

MILWAUKEE RIVER, Dam across—Bill to authorize construction of, 163, 168, 208 209, 215, 239, 246.

" CITY OF, MARKET-HOUSE IN—Bill to authorize levying tax to build, 471, 498, 501, 513, 540.

" City of, to aid in constructing Rail Road to Mississippi—Bill to enable and resolutions relative to, 229, 230, 281, 282.

" City of—Bill to amend act to incorporate, 112, 245, 330, 393, 394.

" City of—Bill to amend act to incorporate, 536, 555, 557.

MILWAUKEE CEMETERY ASSOCIATION—Bill to constitute certain persons members of, 129, 157, 159, 160, 184, 185, 188, 200.

" MUTUAL FIRE INSURANCE COMPANY—Bill supplementary to acts to incorporate, 180, 257, 258, 265, 266, 406, 487, 488, 517.

" MUNICIPAL COURT in city of—Bill to repeal act to establish, 166, 186, 190, 191, 280, 284.

" RIVER, WHARF ON—Bill relative to, 358, 359, 377.

" AND WAUKESHA RAILROAD COMPANY—Bill to amend acts of incorporation, 416, 430, 432, 441, 598, 600, 602.

" AND ROCK RIVER CANAL—Resolution to investigate action of officers of, 155, 161, 163, 214.

" AND ROCK RIVER CANAL LANDS—Resolution as to amount due on mortgages on, 222.

MILWAUKEE AND ROCK RIVER CANAL—Bill to provide for final settlement with Company, 218, 262, 266, 267, 271, 273, 388, 394; Governor's veto, 423; Vote on, 427.

MONEY OF ACCOUNT—Bill concerning, 536, 562, 578, 617.

MONROE STREET in Village of Monroe—Bill to vacate part of, 296, 310, 311, 332, 336.

MORSE, WILLIAM H—Bill to authorize to maintain Ferries, 141, 168, 208, 209.

MORTGAGES—Resolution relative to forclosure of, 67.

" Foreclosure of, by advertisement—Bill concerning, 536, 561, 564, 565, 623.

MUCKWANEGO, Village of—Bill to vacate part of the plat of, 382, 383, 393, 394.

" School District—Bill to authorize to renew a tax warrant, 382, 383, 393.

MURPHY, DENNIS—Petition relative to his right of seat as Senator, 574; Report, 609.

" " Resignation of his seat as Senator, 589.

N

NAMES OF INDIVIDUALS—Bill prescribing manner of changing, 66, 85, 88, 91, 92, 108.

NAME OF A LADY—Report of committee on bill to change, 167.

NAVIGABLE RIVERS—Bill concerning, 470, 477, 478, 482, 486, 606.

NEW HOLSTEIN, Town of—Bill to organize, 289, 294, 295, 298, 324.

NEENAH, to Strong's landing, State Road from—Bill to establish, 382, 390, 391, 410, 414.

NEPASINK LAKE, Bridge across—Bill to authorize, &c., 472, 498, 502, 532, 537, 538.

NEWSPAPERS—Resolution relative to, 38, 47, 56, 152, 173, 187.

NORMAL SCHOOLS—Bill relative to, 381, 435, 626.

" " Of Jefferson county—Bill to incorporate, 576, 586, 589, 588.

NOTICE TO INTRODUCE BILLS, by Mr. Botkin, 35, 205; Mr. Chase, 6, 120; Cothren, 193.

" By Mr. Dennis, 6; Mr. Fisher, 34, 61, 120; Mr. Horn, 6, 51, 205.

" By Mr. Lakin, 198; Mr. Norton, 558.

NUISANCES, Private—Bill relating to, 456, 475, 477, 478, 482, 495, 607.

O

OATHS—Bill concerning, 382, 390, 391, 429.

OCONOMOWOC, Town plat of—Bill to vacate, 202, 242, 257, 260, 264, 280.

OCONTO RIVER—Bill to declare a navigable stream, 144, 168, 208, 209, 210.

OFFENCES, against lives and persons of individuals—Bill to provide for the punishment of, 86, 109, 174, 190.

OFFICERS, State—Bill in relation to, 167, 184, 185, 195, 240.

" County, and Counties—Bill in relation to, 196, 197, 199, 203.

" Bonds—Bill concerning, 597, 601, 602, 604.

ONE-THOUSAND-AND-ONE—Resolution granting Chamber to, 325.

ORE, Lead and Copper—Bill concerning the weighing of, 507, 562, 578, 624.

OTTOWA SCHOOL DISTRICT—Bill to authorize to levy a tax, 576, 586, 587.

P

PARIS AND BRISTOL, Towns of—Bill to repeal act changing boundaries of, 178, 384.

PAY, the several persons the sums therein named—Bill to, 575, 584, 595, 621, 626, 629, 630, 635, 636, 650.

PAYMENT of certain persons—Bill to provide for the, 494, 515, 520, 526, 606.

PAY the several sums therein named—Bill to, 290, 293, 297, 310, 312, 320.

PAYMENT of the present session of the Legislature—Bill to provide for, 373, 488, 490.

PARTITION of Lands and Waste—Bill relating to, 433, 435, 439, 623.

PICKATONICA RIVER, Dam across—Bill to authorize, &c., 536, 562, 578, 617.

PENALTIES, FORFEITURES AND FINES, collection of—Bill for, 594, 601, 602, 603, 604.

PENITENTIARY, STATE, for manufacturing Iron—Bill to locate, &c., 373, 636, 638.

PLANK ROAD—Bill to authorize city of Racine, to aid in the construction of, 163, 167, 208, 209, 210, 215, 248, 249, 258, 268.

Plank Road and Turnpike Roads, incorporating companies to construct—Bill relative to, 382, 477, 478, 482, 487, 624.

Pleadings in certain cases—Bill relative to, 372, 409, 442.

Plum Grove School District to levy a tax—Bill to authorize, 545, 562, 579, 617.

Poor, relief of—Bill relative to, 465, 467, 468, 477, 486, 545, 650.

Postage—Resolution relative to, 37.

Postmasters' Account—Resolution relative to, 172, 611; Report, 199.

“ Resolution to amend Constitution of the United States relative to, 461, 462, 663, 469, 481.

Prairieville Academy—Bill to restore the name and rights of, 296, 310, 311, 314, 323, 340, 341, 377.

Pre-emption Rights on School and University lands—Bill to license, 373, 600, 601, 627.

Presbyterian Church in Platteville—Bill to change its name, 126, 145, 146, 154, 169, 170, 171, 184.

Society of Whitewater—Bill to change its name, 470, 481.

President of the Senate pro tem. elected, 59, 96, 300, 333, 334, 507, 663.

Primrose and Perry, Towns of—Bill to organize, 418, 430, 432, 441, 469, 481.

Printing—Resolution relative to joint committee on, 46.

“ Resolution as to slips, memorials—Bills, &c., 152, 172, 184, 185, 211, 219, 475.

“ Resolution relative to printing laws, 132, 174, 186, 191, 222; Governor's objection, 269.

“ Bill in relation to, 545, 561, 577, 624.

PRINTER, STATE—Resolution relative to his account, 182, 188, 395; Reply, 451; Report, 634, 635.

PRISON, STATE—Resolution relative to information on, 203.
" " Letter of L M Parsons on subject, 204.
" " Petition of H Mooers and others on subject of, 288.
" " Bill to provide for location of, 495, 508, 509, 515, 516, 524, 537, 538, 539, 559, 561, 562, 563, 564.

PROBATE COURTS—Bill relative to, 401, 462, 463, 623.

PUBLICATION of certain laws—Bill to provide for, 458, 466.
" Of act to establish time for holding circuit courts—Bill to provide for, 334.
" Of Revised Statutes, superintending—Bill relating to, 585, 598, 600, 601, 614, 615, 616, 625, 626, 655.

PUBLIC WORSHIP in Supreme Court Room—Resolution relative to, 321.
" HEALTH—Bill for preservation of, 518, 521, 522, 524, 525, 606.
" LANDS, proceeds of—Bill to authorize the Governor to draw for the, 595, 601, 602, 603.
" " Report of committee on, 87, 92, 97.
" " Joint resolutions relating to, 43, 114, 342, 346, 349, 350, 461, 470, 481.
" PROPERTY—Bill regulating the management of, 72, 75, 76, 80, 88, 92, 95.

PUBLIC WORKS, BOARD OF—Report to be printed, 106.
" " Election of, 407.
" " Bill to prescribe certain duties of, 194, 262, 265, 266, 324, 336.

R

RACING OF ANIMALS—Bill concerning, 518, 521, 524, 525, 606.

RACINE CITY CHARTER—Bill to amend, 365, 368, 370, 376, 393, 394.

" COUNTY—Bill to audit the claims of, 289, 294, 295, 297, 319, 324.

" School section in city of—Bill to provide for sale of, 485, 497, 902, 508, 514, 515, 526, 527, 560, 561, 565, 597.

REAL ESTATE, WILLS, EXECUTORS, &c.—Bill relating to, 382, 389, 391, 656.

RAIL ROADS AND PLANK ROADS—Bill to aid in construction of, 330, 368, 369, 474, 488, 490.

RAIL ROAD from the Mississippi ts lake Michigan—Communication from the Secretary of State of Iowa on subject of, 155.

" Report of committee on petition of John S. Walker and others on subject, 484.

RECORDING CONTRACTS relative to lands—Bill providing for, 485, 498, 502, 513, 607, 655.

RECORD, COURTS OF—Bill relating to, 122, 145, 146, 153, 182.

REGISTER OF STATE LAND OFFICE—Resolution to elect, 303; Election of, 326.

RELIGIOUS SOCIETIES—Bill concerning, 503, 537, 545, 597.

REPEAL all acts which are consolidated in Revised Statutes—Bill to, 597, 600, 602, 607, 615, 616.

REPORTER—Reolution relative to, 35.

REPLEVIN, Action of—Bill in relation to, 419, 420.

REPEAL certain acts therein named—Bill to, 310, 311.

RESIGNATIONS, VACANCIES, REMOVALS, &c.—Bill relative to, 187, 192, 215, 225, 231, 235, 236, 257, 274.

REVENUE, STATE—Bill to amend act to provide for levying, 358, 366, 382, 413, 429, 434, 440, 448.

REVISERS OF LAWS—Resolution relative to joint committee on report of, 46.

REVISED STATUTES—Petition on printing, 611.

“ “ Bill to provide for publication of, 356, 368, 369, 374, 375, 407, 411, 414, 585.

“ “ Bill to provide for superintending publication of, 585, 598, 600, 601, 614, 615, 616, 625, 626, 655.

ROADS, certain, in Rock county—Bill to declare highways, 497, 510.

“ In town of Rosendale—Bill to declare a highway, 418, 430, 432, 441, 497, 510.

“ In town of Shields—Bill to declare highways, 126, 153, 157, 169, 170, 171, 184.

“ Kilburn—Bill to organize, 75, 97, 103, 138, 144.

“ In county of Dane—Bill to lay out and establish, 214, 262.

“ In Rock and Green counties—Bill to lay out, 222, 262.

“ In town of Madison—Bill to lay out, 476, 497, 510.

“ In Winnebago county—Bill to alter, 461, 462, 463, 470, 481, 537.

ROADS in Winnebago county—Bill to legalize, 525, 545, 617.

" certain, therein described—Bill to provide for laying out, 597, 600, 602, 603, 656.

" Lay out and establish certain—Bill to, 202, 230, 248, 249, 253, 511, 515, 525, 526, 588.

" Lay out certain—Bill to, 107, 123, 139, 144, 169, 170, 171, 184.

" Lay out certain—Bill to, 536, 555, 556, 578, 617.

" Legalize a certain—Bill to, 419, 430, 432, 441, 457, 466.

" Appoint commissioners to lay out—Bill to, 382, 389, 391.

" Lay out and establish certain—Bill to, 595, 601, 604, 622.

" Through part of St. Croix, Chippewa, and part of Crawford counties—Bill to establish, 75, 84, 95, 105, 109.

" Through part of Richland, Iowa and Sauk counties—Bill to to establish, 98, 134, 354, 357, 406, 440, 449.

" From Black river to Shaurette Mills—Bill relative to, 133, 153, 154.

ROAD, Laws of the—Bill regulating, 269, 358, 369, 370, 376, 396, 412, 481.

ROCK RIVER, Dam across—Bill to authorize construction of, 163, 193, 208, 209, 211, 217, 272, 273, 282, 283, 288; Committee of conference on, 300, 322, 342.

RULES of the last session adopted, 5; Notice to amend, 38.

" " " Committee to revise, 47, 81, 82.

" " " Resolution to rescind 11th rule, 574.

RUSHFORD AND UTICA, Towns of—Bill to change boundaries of, 178, 385, 389, 391, 411, 414.

S

Salaries of State Officers—Bill to amend act to pay, 162.

Salem Cemetery Association—Bill to incorporate, 365, 366, 405, 409, 410, 428.

" Town of—Bill to repeal act legalizing certain road in, 495, 505, 506.

Schools, Common—Bill relating to, 120, 123, 124, 130, 138, 153, 269, 274, 290, 323, 399.

School and University Lands—Bill to amend act for appraisal and subdivision of, 55, 65, 66, 172, 180, 190, 191, 279, 295, 312, 612, 613, 627.

" and University Lands—Bill in relation to sale of, 576, 591, 592.

" and University Lands—Report of Appraisal of, 93.

School Moneys, distribution of—Bill in relation to, 173, 186, 191, 217, 239, 246.

" Fund, income of—Bill relative to distribution of, 239, 270, 271, 516.

" Moneys in town of Lima and Johnstown—Bill to apportion, 365, 368, 370, 376, 393, 394.

" Section—Bill to re-appraise, 84, 86, 88, 89, 95, 101, 102.

" " In Racine—Bill to provide for sale of, 485, 497, 502, 508, 514, 515, 526, 527, 560, 561, 565, 597.

School District—Bill to organize, 83, 87, 94, 101, 118, 139, 144.

School District, Hustisford—Bill to authorize to levy a tax, 120, 157, 158, 160, 189, 194, 201, 203, 204.

" " Troy—Bill to authorize to levy a tax, 281, 289.

" " Medina—Bill to legalize proceedings, 365, 368, 370, 387, 403, 411.

" " Turtle—Bill to authorize to levy a tax, 446, 451, 473, 529.

" " Certain in Fond du Lac county—Bill relative to, 418, 430, 457, 466.

" " No. 1 in Fond du Lac—Bill to repeal act to amend act to organize, 418, 430, 432, 441, 457, 466.

" " No. 1 in Hazel Green—Bill to authorize to levy a tax, 597, 601, 602.

" " In Sun Prairie—Bill to organize, 418, 430, 432, 441, 457, 466.

" " No. 1 in town of Summit—Bill to organize, 650.

Script, Territorial—Report of committee on, 532.

Seals—Joint resolution relative to, 202, 218, 246, 290, 617.

" Bill relative to, 461, 463, 496, 507, 510, 562, 579,

Secretary of State—Annual report of, 63; Omission reported, 107.

" " Report relative to unpaid revenue, 63.

" " Report of appraisal of school lands, 93.

" " Communication relative to depredations on school lands, 121.

" " Communication relative to arrearages of St. Croix county, 121.

SECRETARY OF STATE—Communication relative to mortgages on canal lands, 228, 244.

" " Communication relative to duties of office, 450.

" " Resolution relative to his duties as to claims, 614.

" " Resolution relative to clerk in his office, 647.

SEDUCTION, Crime of—Bill concerning, 502, 503, 510, 515, 525, 588.

SENATOR, UNITED STATES—Resolution to elect in convention, 42, 52; Elected, 57.

" " Joint resolutions to amend Constitution of the United States in relation to election of, 107, 157, 158, 270, 299, 302, 308, 377.

SERGEANT-AT-ARMS—Elected, 4; Authorized to employ assistants, 5.

SET-OFFS, AMENDMENTS, &c.—Bill relating to, 334, 341, 360, 361, 650.

SHEBOYGAN COUNTY, COUNTY BUILDINGS—Bill to authorize supervisors to erect, 585, 586, 587, 590.

SHADE TREES, &c.—Bill for the protection of, 103, 198, 208, 213, 215, 295, 312.

SHIELDS, Town of—Bill declaring certain roads in, highways, 126, 153, 157, 169, 170, 184.

SHEBOYGAN, Village of, to aid in construction of a road—Bill to authorize, 635, 636, 637.

" County—Resolution relative to crediting a sum, 472.

SHOWS AND EXHIBITIONS, Public—Bill relating to, 545, 561, 564, 565, 650.

SLAVERY—Resolution relative to, 34, 117.

SLAVERY AND SLAVE-TRADE—Resolutions on, 117, 119, 136, 138, 146, 184, 185, 188.

SMITH, WILLIAM R—Bill to appropriate a sum to, 230, 257, 258, 265, 266, 411, 414.

SOUTHPORT AND BELOIT RAIL ROAD COMPANY—Bill to amend act to incorporate, 606.

SPRING PRAIRIE TOWN OFFICERS—Bill to legalize their acts, 418, 471, 497, 501, 502, 584.

SPRING VALLEY ACADEMICAL ASSOCIATION—Bill to incorporate, 202, 212, 242, 258, 260, 403, 411.

SPIRITUOUS LIQUORS—Bill relating to sale of, 278, 315, 316, 406, 422, 427, 530.

" " Bill to repeal all laws providing for sale of, 417, 430, 432, 503, 523, 537, 538, 552, 553.

" " License to retail—Report of committee on, 445.

ST. CROIX COUNTY, relative to boundaries of—Petitions, 211.

" " Bill to organize, 255, 257, 259, 280, 284.

" " Bill to appropriate a sum to, 494, 515, 520, 526, 606.

STATE PENITENTIARY, MILITARY RESERVE AT FT. WINNEBAGO—Resolutions on, 519, 520.

STATE PRISON—Bill to provide for the location of, 495, 508, 509, 515, 516, 524, 537, 538, 539, 559, 561, 562, 563, 564.

" County jail of Waukesha—Bill to declare, 536, 561, 580.

STATE HISTORICAL SOCIETY of Wisconsin—Resolution to furnish documents to, 314, 320.

STATE OFFICERS—Bill to amend act to pay salaries, 162, 169, 170, 171.

STATE OFFICERS—Bill in relation to, 167, 184, 185, 195, 196, 225, 280.

" Resolution relative to, 309.

STATE AFFAIRS—Bill in relation to, 169, 217, 320.

STATE ROAD—Bill to provide for laying out, 476, 498, 502, 540.

" Bill to establish a certain, 278, 299.

" Bill to declare a part of, highway, 382, 389, 391, 439, 457, 466.

" Bill to provide for laying out a certain, 512.

" From Fond du Lac to Port Washington—Bill to establish, 382, 389, 391, 410, 414.

" From Neenah to Strong's Landing—Bill to establish, 382, 390, 391, 410, 414.

STATE TAX—Bill to provide for levying, 518, 519, 540, 547, 560, 577, 613, 650.

STATUTES AND JOURNALS—Bill to distribute, 642.

STATIONERY—Bill to repeal part of an act relating to, 34, 36.

STATUTES OF WISCONSIN—Act to revise and consolidate, 536, 561, 577.

STRAYS—Bill relative to, 239, 287, 348, 429.

SUITS in behalf of the State—Bill to authorize, certain to be commenced, 612, 618, 619, 620, 656.

SUFFRAGE, extension of right of—Bill to submit the question, 418, 431, 440, 497, 510.

SULLIVAN, WILLIAM H—Bill to appropriate to, 126, 156, 207, 215, 239, 246.

SUPERIOR, City of—Bill to vacate part of the plat of, 495, 505 506, 514, 540.

SUPERINTENDENT of Territorial Property—Report of, 69.

SUPERINTENDENT of Territorial Property—Resolution to examine his accounts, 106.

" Of Territorial Property—Report, 337.

SUPREME COURT, (separate)—Resolution to call for Attorney General's opinion, 75.

" " Bill to prescribe terms of, 194, 208, 209, 213, 215, 650.

" " Of late Territory—Bill to publish decisions of, 597, 601, 602, 603.

SURVEYORS, COUNTY—Bill concerning, 461, 462, 474, 477, 478, 487, 606.

T

TAX, STATE—Bill to provide for levying, 518, 519, 540, 547, 560, 577, 613, 650.

TAXES—Bill for assessment and collection of, 347, 348, 350, 351, 356, 360, 361, 363, 364, 382, 496.

" Resolution relative to the act, 530, 531.

" In Brown county—Bill to extend time for collecting, 612, 615, 618, 619, 620, 656.

" Taycheeda—Bill to extend time for collecting, 104, 110, 120, 145, 146, 153, 169, 170, 171, 184.

TELEGRAPH, MAGNETIC—Memorial of agent, 52.

TENNEY, H A—Bill to appropriate to, 188, 272, 282, 283, 337, 338, 339.

TERRITORIAL SCRIP—Report of committee on, 532.

TESTIMONY AND DEPOSITIONS—Bill relating to, 363, 378, 387, 391, 396, 496.

TIMBER AND LUMBER FLOATING, &c.—Bill relative to, 545, 562, 578, 650.

TOFFLEMIRE, ROBERT—Bill granting privileges to, 612, 615, 618, 619, 620, 656.

TOWNS AND TOWN OFFICERS—Bill relative to, 223, 240, 243, 244, 285, 296, 311.

TOWNS—Bill relative to division of, 239, 270, 271, 290, 598.

TOWN PLATS—Bill relating to recording, 382, 389, 391, 481.

TOWNS—Bill to organize several, 83, 87, 94, 113, 123, 124, 125, 127, 138, 144, 295, 311.

" Bill to organize several, 200.

" Bill to organize several, 373, 433, 438.

" Bill to amend act to organize several, 418, 430, 441, 457, 466.

TOLLS FOR GRINDING GRAIN—Bill to repeal the law regulating, 277, 294, 537, 538, 551, 552, 628, 636, 637, 655.

TREASURER, STATE—Annual report of, 35.

" " Bill prescribing duties to be performed by, 167, 180, 181, 191, 192, 195, 201, 203, 224.

" " Committee appointed to settle with, 575; Report, 625.

TREASURER OF BOARD OF PUBLIC WORKS—Resolution to elect, 303; Election of, 326.

TRAPPING—Bill to regulate, 503.

TRESPASS ON LANDS—Bill to punish, 503, 537, 545, 623.

TRIBUNALS OF CONCILIATION—Bill to provide for, 536, 561, 577, 650.

TROY, School District No. 3, in Town of—Bill to authorize to lay a tax, 281, 291.

TURTLE, School District in the Town of—Bill to authorize trustees to levy a tax, 446, 451, 473, 529.

U

UNCLAIMED PROPERTY—Bill relative to, 239, 287, 347, 429.

UNIVERSITY, OFFICERS OF—Joint resolutions relative to their salaries, 223, 230, 237, 251, 268.

UNIVERSITY AND SCHOOL LANDS—Bill to punish trespass on, 231, 262, 606.

UNIVERSITY OF WISCONSIN—Bill to establish, 503, 562, 578, 623.

" OF WISCONSIN—Act supplemental to, 545, 562, 578, 624.

UTICA AND RUSHFORD, Towns of—Bill to change boundaries of, 178, 385, 389, 391, 411, 414.

V

VACATE a certain piece of land—Bill to, 597, 601, 604.

VIENNA AND WESTPORT, Towns of—Bill to divide and organize, 638.

VINLAND, Town of—Bill to organize, 382, 390, 396, 410, 414.

VILLAGES, Incorporation of—Bill relating to the, 545, 555, 556, 559, 644.

VICTORY, Town of—Bill to vacate town plat of, 144, 193, 207, 216, 239, 246.

VIRGINIA, Resolutions of the Legislature of, 232.

W

WARRANTS OF SECRETARY OF STATE—Resolution on, 642.

WALKER, ISAAC P—Resolution relative to, 519, 546, 567, 568, 569, 570, 571, 572, 633, 655.

WALWORTH COUNTY ACADEMY—Bill to incorporate, 367, 405, 442, 443, 517.

WASHINGTON'S FAREWELL ADDRESS—Resolution relative to reading, 266, 268.

WASHINGTON COUNTY SEAT—Official canvass on vote on, 8.

" " Referred to select committee, 9; Report, 99.

" COUNTY SEAT—Bill for permanent location of Seat of Justice, 100, 105, 129, 221, 223, 245, 247, 248 250.

" COUNTY SEAT—Resolution on referring all reports and bill, 156, 206, 207.

WATERLOO, School meeting in the town of—Bill to legalize proceedings of, 382, 389, 391, 440.

WAUKESHA, Town of—Bill to extend time of collecting taxes in, 64, 71.

" Town of, School District in—Bill in relation to, 126, 166, 207, 215, 239, 246.

" County of—Bill for reappraisement of section sixteen, 189; Report of committee, 195.

" County Jail—Bill to declare State Prison, 536, 561, 580.

WATERTOWN, Village of—Bill to incorporate the, 259, 267, 273, 446, 449.

" ACADEMY—Bill to incorporate, 518, 606.

WEIGHTS AND MEASURES—Bill concerning, 514, 515, 520, 525, 623.

WEAVER, JAMES—Bill to authorize him to build a Dam, 576, 586, 587.

WESTPORT AND VIENNA, Town of—Bill to divide and organize, 638.

WINDSOR, Town of—Bill to extend time for collecting tax, 163, 170, 194, 201, 203, 204.

WILLIAMS, THOMAS P—Bill to authorize to build a bridge, 230, 262, 290, 307, 312, 423, 442, 443, 455.

WINNEBAGO COUNTY, boundaries of—Bill to extend, 296, 308, 318, 325, 342.

WISCONSIN RIVER—Bill to prevent obstructions in, 217, 258, 260, 307, 311.

WISCONSIN BRIDGE COMPANY—Bill to incorporate, 265, 279, 281, 283, 284, 296, 307.

WOLVES, destruction of—Bill concerning, 518, 521, 522.

INDEX TO APPENDIX.

Dane County Court-House, 2 reports of committee on—Document L, page 863.

Eastman, H Eugene, Petition on contesting seat of Lemuel Goodell—Document B, page 756.

Finance, Report of committee on—Document P, page 879.

Governor's Message—Documents accompanying No. 1, page 679.

Hale and Chapman, Contract and account—Document D, page 813.

Iowa, State of, Secretary of State's communication—Document I, page 854.

Lands, Public, 2 reports of committee on—Document E, page 819.

Lybrand, Jacob, Report of committee on petition—Document F, page 283.

Library, State, Report of committee on—Document N, page 871.

Legislature, Business of, Report of committee on—Document H No. 2, page 848.

PUBLIC PROPERTY, SUPERINTENDENT OF, Report of committee on his affairs—Document M, page 868.

ROCK RIVER CANAL LANDS, Report of Secretary of State on Mortgages—Document K, page 857.

SCHOOL AND UNIVERSITY LANDS, Report of Secretary of State on appraisal of—Document G, page 826.

SECRETARY OF STATE, Annual report of—Document C, page 790.

TREASURER, STATE, Annual report of—Document A, page 751.

WASHINGTON COUNTY, 2 reports on County Seat—Document H No. 1, page 834.